

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

No.

DEFENDANT JBS CARRIERS,
INC.'S RENEWED NOTICE OF
REMOVAL OF CIVIL ACTION

PLEASE TAKE NOTICE that Defendant JBS CARRIERS, INC. ("JBS") hereby removes this action from the Superior Court of the State of Washington in and for the County of King (the "Superior Court") to this Court based on diversity of citizenship jurisdiction pursuant to 28 U.S.C. § 1332 and supplemental jurisdiction under 28 U.S.C. § 1367. In support of its removal, JBS alleges as follows:

Introduction

1. On September 5, 2017, plaintiff Kurt Skau commenced a civil action in King County Superior Court against JBS, King County Sup. Ct. No. 17-2-23242-4 SEA (the "Action"). Pursuant to Local Civil Rule 101(b), a copy of the operative complaint (the "Complaint" or "Cmplt.") is separately attached to this Notice as ***Exhibit A***. Copies of all

NOTICE OF REMOVAL – 1

process, pleadings, and orders served on JBS, except the Complaint, are attached to this Notice as **Exhibit B**. See 28 U.S.C. § 1446(a). The allegations of the Complaint are incorporated by reference without admitting the truth of any of them.

2. Plaintiff was employed by JBS from approximately November 9, 2015, to May 5, 2017, which is approximately 77 weeks. Cmplt. ¶ 3.1. Plaintiff alleges five causes of action against JBS: (1) failure to provide Plaintiff paid rest periods as required under Washington law, RCW 49.12.020; (2) failure to pay Plaintiff the Washington Minimum Wage purportedly required by RCW 49.46.090; (3) failure to pay Plaintiff for overtime hours at one-and-a-half times the regular rate as required by RCW 49.46.130; (4) failure to pay Plaintiff for unpaid wages on termination in violation of RCW 49.48.010; and (5) willfully depriving Plaintiff of wages in violation of RCW 49.52.050. Cmplt. ¶¶ 6.1-10.5. Plaintiff seeks double damages under RCW 49.52.050 and 49.52.070 on the first four causes of action. Cmplt. ¶ 10.5. Plaintiff also seeks attorneys' fees under state law. Cmplt. ¶¶ 9.4 and 10.5; *see also* Prayer for Relief. Plaintiff is represented by Toby J. Marshall and Maria Hoisington-Bingham of Terrell Marshall Law Group PLLC, and Hardeep S. Rehki and Gregory A. Wolk of Rekhi & Wolk, P.S.

3. JBS is the only defendant and has been properly joined and served, and therefore, no other defendant must join this removal. See 28 U.S.C. § 1446(b)(2)(A).

4. This Notice is effected properly and timely pursuant to 28 U.S.C. § 1446(b)(3) because it is filed within 30 days after JBS received a copy of an "order or other paper from which it may first be ascertained that the case is one which is or has become removable."

5. Notice of this removal will be given properly to Plaintiff and the Superior Court pursuant to 28 U.S.C. § 1446(d).

6. JBS removes the claims of Plaintiff Skau in this Action pursuant to diversity jurisdiction under 28 U.S.C. § 1332(a), and JBS removes the claims of the remaining putative Plaintiffs pursuant to supplemental jurisdiction under 28 U.S.C. § 1367.

NOTICE OF REMOVAL – 2

JBS's First Notice of Removal and Plaintiff's Motion to Remand

7. On October 5, 2017, JBS filed a Notice of Removal pursuant to 28 U.S.C. § 1332 and 28 U.S.C. § 1446(b)(1). On November 2, 2017, Plaintiff filed a Motion to Remand. In the Motion to Remand, Plaintiff conceded JBS's calculation of potential damages but argued that future attorneys' fees may not be included in the amount in controversy calculation. *Skau v. JBS Carriers, Inc.*, 2:17-cv-014990JCC (Nov. 2, 2017), p. 9 [Doc. 13].

8. On November 30, 2017, Judge Coughenour granted Plaintiff's Motion to Remand. In so doing, the Court held that "an estimate of future attorney fees [may not] be used to satisfy the amount in controversy requirement" and, therefore, JBS failed to prove the amount in controversy exceeded \$75,000 by a preponderance of the evidence. *Skau v. JBS Carriers, Inc.*, 2:17-cv-014990JCC (Nov. 30, 2017), p. 4 [Doc. 21]. The difference between the amount in controversy found by Judge Coughenour and the \$75,000 jurisdictional threshold was only \$7,266.34. *Id.*

Change of Circumstances

9. On April 20, 2018, the Ninth Circuit issued a decision in *Chavez v. JPMorgan Chase & Co.*, -- F. 3d. --, 2018 WL 1882908 (9th Cir. April 20, 2018). There, the court held "that the amount in controversy is not limited to damages incurred prior to notice of removal," but that it "encompasses all relief a court may grant on [the] complaint if the plaintiff is victorious." *Id.* at *1. Further, the Ninth Circuit directed trial courts to "consider damages that are claimed at the time the case is removed" and it stated, "[t]hat the amount in controversy is assessed at the time of removal does *not* mean that the mere futurity of certain classes of damages precludes them from being part of the amount in controversy." *Id.* at * 3 (emphasis in original). Thus, *Chavez* dictates that future damages, including reasonable attorneys' fees that may be awarded by the Court if Plaintiff prevails, must be considered when determining the amount in controversy.

10. The Ninth Circuit's decision is a "relevant change of circumstances justifying a reconsideration of a successive, good faith, petition for removal." *Rea v. Michaels Stores Inc.*, 742 F.3d 1234, 1238 (9th Cir. 2014).

Diversity of Citizenship Jurisdiction Regarding Plaintiff Skau

11. Diversity of citizenship jurisdiction is met as to Plaintiff Skau's claims because (a) the named Plaintiff is completely diverse from the named Defendant; and (b) upon information and belief, the amount in controversy for Plaintiff Skau's claims exceeds \$75,000.

Complete Diversity

12. **Plaintiff.** JBS is informed and believes that the named Plaintiff is now, and was at the time the Action was commenced, a citizen of the State of Washington within the meaning of 28 U.S.C. § 1332(d)(2). *See* Cmplt. ¶ 3.1 (alleging Plaintiff resides in the State of Washington).

13. **Defendant JBS.**

a. JBS is now, and was at the time the action was commenced, a citizen of a state other than Washington within the meaning of 28 U.S.C. § 1332(c)(1). That section provides that a corporation shall be deemed to be a citizen of every state by which it has been incorporated and of the state where it has its principal place of business. 28 U.S.C. § 1332(c)(1). A corporation's principal place of business "refers to the place where the corporation's high level officers direct, control, and coordinate the corporation's activities." *Hertz Corp. v. Friend*, 559 U.S. 77, 80 (2010).

b. JBS is now, and was at the time the action was commenced, incorporated in the State of Delaware. Moreover, JBS's principal place of business is now, and was at the time this action was commenced, in the State of Colorado. *See* Complaint ¶ 3.2. Specifically, JBS's headquarters is located at Greeley, Colorado. *Id.* Accordingly, JBS is a citizen of the states of Delaware and Colorado.

14. Therefore, Plaintiff is diverse from Defendant, and complete diversity is met.

The Amount in Controversy Exceeds \$75,000 on Plaintiff Skau's Claims

15. Without making an admission of liability or damages with respect to any aspect of this case, and without taking a position as to the proper legal test(s) applicable to Plaintiff's allegations, Defendant represents that it has a good faith belief that the amount placed in controversy by Plaintiff's claims exceed the jurisdictional minimum under Section 1332(a). Defendant is not obliged to "research, state, and prove the plaintiff's claims for damages." *McCraw v. Lyons*, 863 F. Supp. 430, 434 (W.D. Ky. 1994). But Defendant can establish the amount in controversy by the allegations in the Complaint, or by setting forth facts in the notice of removal that demonstrate that the amount in controversy "more likely than not" exceeds the jurisdictional minimum. *Sanchez v. Monumental Life Ins. Co.*, 102 F.3d 398, 404 (9th Cir. 1996). The District Court may consider whether it is facially apparent from the Complaint that the jurisdictional amount is in controversy. *Singer v. State Farm Mut. Auto Ins. Co.*, 116 F.3d 373, 377 (9th Cir. 1997); *Conrad Assoc. v. Hartford Accident & Indent. Co.*, 994 F. Supp. 1196, 1198 (N.D. Cal. 1998). In addition to the contents of the removal petition, the Court considers "summary- judgment-type evidence relevant to the amount in controversy at the time of removal," such as affidavits or declarations. *Valdez v. Allstate Ins. Co.*, 372 F.3d 1115, 1117 (9th Cir. 2004); *Singer v. State Farm Mut. Auto Ins. Co.*, 116 F.3d 373, 377 (9th Cir. 1997).

16. "[T]he amount in controversy is simply an estimate of the total amount in dispute, not a prospective assessment of defendant's liability." *Lewis v. Verizon Comm., Inc.*, 627 F.3d 395, 400 (9th Cir. 2010). In measuring the amount in controversy, a court must assume that the allegations of the Complaint are true and that a jury will return a verdict for Plaintiff on all claims made in the Complaint. *Kenneth Rothschild Trust v. Morgan Stanley Dean Witter*, 199 F. Supp. 2d 993, 1001 (C.D. Cal. 2002). The ultimate inquiry is what amount is put "in controversy" by Plaintiff's complaint, not what Defendant will actually owe. *Rippee v. Boston Market Corp.*, 408 F. Supp. 2d 982, 986 (S.D. Cal. 2005); *see also Scherer v. Equitable Life Assurance Society of the United States*, 347 F.3d 394, 399 (2d Cir. 2003)

(recognizing that the ultimate or provable amount of damages is not what is considered when determining the amount in controversy; rather, it is the amount put in controversy by the plaintiff's complaint).

17. Defendant provides the below calculations only to demonstrate that the amount in controversy in this case easily exceeds the minimum amount in controversy for diversity jurisdiction. As noted above, Defendant makes no admission of any liability or damages with respect to any aspect of this case and takes no position as to the proper legal test(s) to be applied to Plaintiff's claims. Nor does Defendant waive its right to ultimately contest the proper amount of damages due, if any, should Plaintiff prevail with respect to any of his claims.

18. Here, Plaintiff seeks unpaid wages, double damages for the unpaid wages, and attorneys' fees. Cmpl. ¶¶ 6.1 to 10.5; Prayer for Relief. The amount placed in controversy by those claims "exceeds the sum or value of \$75,000." *See* 28 U.S.C. § 1332(a).

19. **Unpaid Wages:** Based on the allegations in the Complaint and using JBS's payroll data for Plaintiff Skau, JBS calculates the allegedly unpaid wages at issue by Plaintiff's claims is \$26,824.33.

a. **Unpaid Overtime Wages:** Plaintiff alleges JBS failed to compensate him when he worked over 40 hours per week as required by RCW 49.46.130. *See* Cmpl. ¶¶ 7.1 to 7.5; 8.4. JBS estimates, based on Plaintiff's available Hours of Service Logs ("HOS Logs"), that Plaintiff worked an average of 49 hours per week. *See* Taylor Decl. ¶ 10, attached hereto as **Exhibit C**. Based on Plaintiff's gross pay over the same period divided by the average number of hours Plaintiff worked over that period, JBS estimates that Plaintiff's average hourly wage was approximately \$25.81 per hour. *See* Taylor Decl. ¶ 8, attached hereto as **Exhibit C**. Thus, Plaintiff's overtime wage is approximately \$38.72 per hour (1.5 times \$25.81).

b. Assuming for purposes of removal that Plaintiff worked an average of nine hours of overtime every week during his approximately 77 weeks of employment at JBS, Plaintiff would have worked a total of 693 overtime hours for which he was paid his regular

1 hourly rate of \$25.81, approximately \$12.91 less than his overtime rate (\$38.72 minus \$25.81).
 2 Accordingly, Plaintiff has put \$8,946.63 of alleged overtime compensation at issue (693 hours
 3 x \$12.91 per hour = \$8,946.63).

4 c. **Rest Period:** Plaintiff also alleges that JBS failed to pay him and the
 5 putative class for 10-minute rest breaks every four hours worked. Cmplt. ¶¶ 5.7 to 5.9; 6.1 to
 6 6.8. Plaintiff does not allege how many rest breaks JBS failed to pay. Assuming, for purposes
 7 of removal, Plaintiff averaged 49 hours of work per week, Plaintiff would be entitled to
 8 approximately 12 breaks per week (49 hours worked divided by 4 hours), and 924 breaks
 9 during the entirety of his employment (12 breaks per week x 77 weeks). Also, assuming
 10 Plaintiff worked 49 hours per week, the missed rest breaks, based on his allegations, would
 11 represent additional time worked and would be compensable at his overtime rate of \$38.72 per
 12 hour. Based on that rate, Plaintiff could recover \$6.50 per 10-minute rest break (\$38.72 per
 13 hour divided by 6 equals approximately \$6.45 per 10-minute period). Thus, assuming Plaintiff
 14 was not paid for any rest breaks while employed by JBS, Plaintiff has put \$5,959.80 of alleged
 15 unpaid rest period time at issue (924 allegedly missed breaks x \$6.45 per break).

16 d. **Off-the-Clock Work:** Plaintiff claims JBS required him to perform off-
 17 the-clock work without compensation. Cmplt. ¶ 5.4. The Complaint does not allege how many
 18 hours per week the plaintiff worked off the clock. Assuming, based on Plaintiff's available
 19 HOS Logs, and only for purposes of removal, Plaintiff worked off the clock for approximately
 20 three hours per week from November 9, 2015, to May 5, 2017, Plaintiff worked approximately
 21 231 hours off the clock. *See* Taylor Decl. ¶ 9, attached hereto as **Exhibit C**. Thus, applying
 22 Plaintiff's overtime¹ hourly rate of \$38.72, Plaintiff has put \$8,944.32 of alleged off-the-clock
 23 work time at issue (\$38.72 per hour x 231 alleged hours worked).

24 e. **Minimum Wage for Training and Orientation Work:** Plaintiff claims
 25 JBS did not pay minimum wage for time worked during driver orientation or driver training.

26 ¹ Assuming, again, that Plaintiff worked 49 hours per week and was entitled to overtime, the
 27 additional off-the clock work hours, as alleged, would qualify as overtime.

Cmplt. ¶¶ 5.3, 7.1 to 7.5. With regard to orientation, Plaintiff claims he was not paid minimum wage for mandatory orientation. Cmplt. ¶ 5.3. Orientation typically ranges from 24 to 32 hours, depending on the driver. *See* McQuade Decl. ¶ 6, attached hereto as **Exhibit D**. In 2015 – when Plaintiff began working for JBS – Washington’s minimum wage was \$9.47 per hour. Assuming Plaintiff did not receive minimum wage for the period in which he attended orientation, Plaintiff has put as much as \$303.04 of alleged unpaid orientation time at issue (32 hours x \$9.47 per hour).

f. With regard to driver training, Plaintiff alleges he did not receive at least minimum wage for 15,000 miles of driver training. Cmplt. ¶ 5.3. Based on Plaintiff’s available HOS Log, JBS estimates for purposes of removal only that Plaintiff traveled approximately 53 miles per hour while working for JBS (10,410 miles driven divided by 195.53 hours). *See* Taylor Decl. ¶ 11, attached hereto as **Exhibit C**. Assuming Plaintiff maintained that average during his training, Plaintiff spent approximately 282 hours completing his 15,000 miles of driver training (15,000 miles divided by 53 miles per hour). Thus, applying Washington’s 2015 minimum wage, Plaintiff has put approximately \$2,670.54 of alleged unpaid training time at issue (\$9.47 per hour x 282 training hours).

g. **Total Amount at Issue for Alleged Unpaid Wages.** Based on the above calculations, JBS reasonably estimates that Plaintiff has placed \$26,824.33 in unpaid wages at issue in this matter.

20. **Double Damages.** Plaintiff also seeks double damages under RCW 49.52.050, which allows an employee to recover an additional amount equal to the unpaid wages for willful violations. Cmplt. ¶¶ 10.1 to 10.5 & Prayer for Relief. Here, Plaintiff alleges that JBS’s failure to pay the alleged rest periods, minimum wages, overtime wages, and final wages was willful and triggers the double-damages provision. *Id.* ¶¶ 10.1 to 10.5. Plaintiff therefore seeks an amount equal to the back wages allegedly owed—*i.e.*, an additional \$26,824.33—as double damages. Adding that amount to the alleged unpaid wages portions brings the amount in

controversy to \$53,648.66. Plaintiff did not dispute this estimate in his Motion to Remand. *Skau v. JBS Carriers, Inc.*, 2:17-cv-014990JCC (Nov. 2, 2017), p. 9 [Doc. 13].

21. **Attorneys' Fees.**

a. The Ninth Circuit has held that “where an underlying statute authorizes an award of attorneys’ fees, either with mandatory or discretionary language, such fees may be included in the amount in controversy.” *Galt G/S v. JSS Scandinavia*, 142 F.3d 1150, 1156 (9th Cir. 1998). Courts have interpreted *Galt* to allow a removing defendant to add to the amount in controversy a reasonable estimate of plaintiff’s attorneys’ fees likely to be incurred through the resolution of the case. *See, e.g., Brady v. Mercedes-Benz USA, Inc.*, 243 F. Supp. 2d 1004, 1010-11 (N.D. Cal. 2002) (“[A] reasonable estimate of fees likely to be incurred to resolution is part of the benefit permissibly sought by the plaintiff and thus contributes to the amount in controversy.”); *Simmons v. PCR Tech.*, 209 F. Supp. 2d 1029, 1034-35 (N.D. Cal. 2002) (Under *Galt*, “the measure of [attorneys’] fees should be the amount that can reasonably be anticipated at the time of removal, not merely those already incurred.”). A court may look to “the amount of fees commonly incurred in similar litigation” to determine the reasonable fees likely to be incurred. *Brady*, 243 F. Supp. 2d at 1011.

b. The statutes that underlie Plaintiff’s wage-and-hour claims allow a successful plaintiff to recover his or her attorneys’ fees, and Plaintiff seeks those fees in the Complaint. Cmplt., Prayer for Relief, § E (seeking attorneys’ fees); RCW 49.52.070 (allowing employee to recover attorneys’ fees in connection with willfully withheld wages). Therefore, the amount in controversy here includes a reasonable estimate of Plaintiff’s attorney fees.

c. Plaintiff’s attorneys’ estimated fees would likely alone satisfy the amount in controversy requirement for diversity jurisdiction. In the Motion to Remand, Plaintiff stated that, as of JBS’s first notice of removal on October 5, 2017, his attorneys had incurred \$14,085 in attorney fees, making the undisputed amount in controversy \$67,733.66 as

1 of that date, which is only \$7,267 short of the jurisdictional threshold. *Skau v. JBS Carriers,*
 2 *Inc.*, 2:17-cv-014990JCC (Nov. 2, 2017), p. 9 [Doc. 13].

3 d. Since that time, the parties have engaged in briefing regarding the
 4 Motion to Remand, as well as written discovery. It is likely that Plaintiff has incurred greater
 5 than \$7,267 performing these tasks. Thus, Plaintiff's currently incurred attorneys' fees likely
 6 exceed the amount in controversy requirements.

7 e. Regardless, the Ninth Circuit's decision in *Chavez, supra*, makes clear
 8 that future damages, including attorney fees that may be awarded by the Court if Plaintiff
 9 prevails, may properly be considered when determining the amount in controversy. 2018 WL
 10 1882908, at *3. It cannot be disputed that the Court could award Plaintiff greater than \$7,267 in
 11 attorney fees if he prevails in this matter. Indeed, Plaintiff's current attorneys have received
 12 significant fee awards in other matters. *See e.g., Helde v. Knight Transp., Inc.*, No. C12-
 13 0904RSL, 2016 U.S. Dist. LEXIS 56162 (W.D. Wash. Apr. 26, 2016) (\$1.2 million fee award);
 14 *Chesbro v. Best Buy Stores, L.P.*, No. 2:10-CV-00774-RAJ, 2014 WL 11906648, at *2 (W.D.
 15 Wash. Sept. 19, 2014) (\$1,137,500 award); *Wilbur v. City of Mount Vernon*, No. C11-
 16 1100RSL, 2014 WL 11961980 (W.D. Wash. Apr. 15, 2014) (Plaintiff's counsel received an
 17 award for attorney's fees of \$2,500,000); *Bronzich, et al. v. Persels & Associates, LLC*, C10-
 18 0364 (E.D. Wash.) (\$650,000 award); *Milligan v. Toyota Motor Sales, U.S.A., Inc.*, No. C 09-
 19 05418 RS, 2012 WL 10277179 (N.D. Cal. Jan. 6, 2012) (\$806,000 award); *Estate of Brown v.*
 20 *Consumer Law Assocs., LLC*, No. 11-CV-0194-TOR, 2013 WL 2285368, at *6 (E.D. Wash.
 21 May 23, 2013) (awarding \$373,668.05 in attorney's fees and costs and noting "[b]ased upon
 22 the fees and costs reportedly incurred by Plaintiffs to date, any [future] assessment could easily
 23 exceed \$1 million."); *Barnett v. Wal-Mart Stores, Inc.*, 2009 WL 2194864 (Wash. Super. Ct.
 24 July 20, 2009) (\$10,500,000 award, including costs).

25 f. Moreover, there are only 20 putative class members in this case. In light
 26 of Plaintiff's attorneys' significant fee awards in other cases, even on a pro rata basis, the

1 attorney fees reasonably anticipated to be incurred by Plaintiff Skau will exceed \$7,267 and
2 surpass the required \$75,000 threshold.

3 22. **Conclusion.** The calculations above demonstrate the amount in controversy far
4 exceeds the \$75,000 requirement.

5 **Supplemental Jurisdiction**

6 23. Because one Plaintiff's claims are properly before the Court under traditional
7 diversity jurisdiction, the Court has supplemental jurisdiction over the remaining putative
8 Plaintiffs' claims pursuant to 28 U.S.C. § 1367. *See Exxon Mobil Corp. v. Allapattah Servs.,*
9 *Inc.*, 545 U.S. 546, 559 (2005).

10 **Venue and Intradistrict Assignment**

11 24. Venue of this Action exists in this District pursuant to 28 U.S.C. § 1441(a)
12 because the Superior Court is located within the District. Moreover, the case is properly venued
13 in the Seattle Division of this District because a substantial portion of the alleged events or
14 omissions that give rise to Plaintiff's claims occurred in King County. *See* LCR 3(d); Cmplt. ¶
15 2.2.

16 **Conclusion**

17 25. Plaintiff's Complaint is properly before this Court under diversity of citizenship
18 jurisdiction and supplemental jurisdiction.

1 DATED this 10th day of May, 2018.

2 Davis Wright Tremaine LLP

3 By: /s/N. Joseph Wonderly

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CERTIFICATE OF SERVICE

I hereby certify that on May 10, 2018, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Exh. A

FILED

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KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO.

CLASS ACTION COMPLAINT FOR
DAMAGES

Plaintiff Kurt Skau brings this action on his own behalf and on behalf of all others
similarly situated and alleges as follows:

I. INTRODUCTION

1.1 Nature of Action. Plaintiff Kurt Skau brings this class action against JBS Carriers, Inc. ("Defendant"). Defendant is a truckload transportation company that delivers goods throughout the United States, including the state of Washington. Plaintiff alleges Defendant has engaged in a common course of failing to compensate its Washington-based driver employees for the paid rest breaks to which they are entitled, failing to compensate driver employees for all hours of work, and failing to pay overtime wages.

II. JURISDICTION AND VENUE

2.1 Jurisdiction. Defendant is within the jurisdiction of this Court. Defendant conducts business in Washington. Defendant hires drivers that reside in Washington and have

1 commercial driver's licenses issued by the state of Washington. Thus, Defendant has obtained
 2 the benefits of the laws of Washington as well as Washington's commercial and labor
 3 markets.

4 2.2 Venue. Venue is proper in King County because Defendant operates and
 5 transacts business in King County, and Plaintiff performed work for Defendant in King County.

6 2.3 Governing Law. The claims asserted on behalf of Plaintiff and Class members in
 7 this complaint are brought solely under state law causes of action and are governed
 8 exclusively by Washington law.

9 III. PARTIES

10 3.1 Plaintiff Kurt Skau. Plaintiff worked for Defendant from approximately
 11 November 9, 2015 to May 5, 2017. Plaintiff worked as part of Defendant's Western Regional
 12 fleet and regularly transported goods within the western part of the United States, including
 13 the state of Washington. Plaintiff has a commercial driver's license issued by the state of
 14 Washington. During the duration of his employment, Plaintiff was a resident of Port Orchard,
 15 Washington. Plaintiff performed work for Defendant in King County, Washington.

16 3.2 Defendant JBS Carriers, Inc. Defendant is a Delaware corporation that is
 17 headquartered in Greeley, Colorado and does business in Washington. Defendant is an
 18 interstate and regional truckload transportation company that primarily transports meat and
 19 poultry products. Defendant maintains a fleet of over 600 trucks and 800 employees.
 20 Defendant's Western Regional fleet operates in the western part of the United States,
 21 including the state of Washington. Defendant recruits individuals who reside in Washington to
 22 work for the Western Regional fleet. Defendant has employed Plaintiff and hundreds of other
 23 Washington-based drivers and has exercised control over how and when those employees
 24 were paid.

IV. CLASS ACTION ALLEGATIONS

4.1 Class Definition. Under Civil Rule 23(a) and (b)(3), Plaintiff brings this case as a class action against Defendant on behalf of the class defined as follows (the "Class"):

All current and former employees of JBS Carriers, Inc. who worked as drivers for the company while residing in the state of Washington at any time between September 5, 2014 and the date of final disposition of this action.

Excluded from the Class are any entity in which Defendant has a controlling interest or that has a controlling interest in Defendant, and Defendant's legal representatives, assignees, and successors. Also excluded are the judge to whom this case is assigned and any member of the judge's immediate family.

4.2 Numerosity. Plaintiff believes that more than one hundred persons have worked as driver employees for Defendant while based in Washington during the proposed class period. The Class members are so numerous that joinder of all members is impracticable. Moreover, the disposition of the claims of the Class in a single action will provide substantial benefits to all parties and the Court.

4.3 Commonality. There are numerous questions of law and fact common to Plaintiff and Class members. These questions include, but are not limited to, the following:

- a. Whether Defendant has engaged in a common course of failing to pay Class members at no less than minimum wage for all hours spent in mandatory orientation and driver training;
- b. Whether Defendant has engaged in a common course of failing to pay Class members at no less than minimum wage for all non-driving work performed;
- c. Whether Defendant has engaged in a common course of failing to pay Class members overtime compensation for hours worked beyond 40 in a week;

- d. Whether Defendant has engaged in a common course of failing to separately pay Class members for rest breaks, whether received or not;
- e. Whether Defendant has engaged in a common course of failing to keep true and accurate time records for all hours worked by Class members;
- f. Whether Defendant's failure to pay all wages owed to Class members was willful;
- g. Whether Defendant has violated RCW 49.12.020;
- h. Whether Defendant has violated WAC 296-126-092;
- i. Whether Defendant has violated RCW 49.46.090;
- j. Whether Defendant has violated RCW 49.46.130;
- k. Whether Defendant has violated WAC 296-128-012;
- l. Whether Defendant has violated RCW 49.46.040;
- m. Whether Defendant has violated WAC 296-128-010;
- n. Whether Defendant has violated WAC 296-128-011;
- o. Whether Defendant has violated WAC 296-128-020;
- p. Whether Defendant has violated WAC 296-126-040;
- q. Whether Defendant has violated WAC 296-126-050;
- r. Whether Defendant has violated RCW 49.48.010;
- s. Whether Defendant has violated RCW 49.52.050; and
- t. The nature and extent of Class-wide injury and the measure of compensation for such injury.

4.4 Typicality. Plaintiff's claims are typical of the claims of the Class. Plaintiff has performed work for Defendant as a driver employee while residing in the state of Washington and is thus a member of the Class. Plaintiff's claims, like the claims of the Class, arise out of the same common course of conduct by Defendant and are based on the same legal and remedial theories.

1 4.5 Adequacy. Plaintiff will fairly and adequately protect the interests of the Class.
 2 Plaintiff has retained competent and capable attorneys who have significant experience in
 3 complex and class action litigation, including employment law. Plaintiff and his counsel are
 4 committed to prosecuting this action vigorously on behalf of the Class and have the financial
 5 resources to do so. Neither Plaintiff nor his counsel have interests that are contrary to or that
 6 conflict with those of the Class.

7 4.6 Predominance. Defendant has engaged in a common course of wage and hour
 8 abuse toward Plaintiff and members of the Class. The common issues arising from this
 9 conduct that affect Plaintiff and members of the Class predominate over any individual issues.
 10 Adjudication of these common issues in a single action has important and desirable
 11 advantages of judicial economy.

12 4.7 Superiority. Plaintiff and Class members have suffered and will continue to
 13 suffer harm and damages as a result of Defendant's unlawful and wrongful conduct. Absent a
 14 class action, however, most Class members likely would find the cost of litigating their claims
 15 prohibitive. Class treatment is superior to multiple individual suits or piecemeal litigation
 16 because it conserves judicial resources, promotes consistency and efficiency of adjudication,
 17 provides a forum for small claimants, and deters illegal activities. There will be no significant
 18 difficulty in the management of this case as a class action. The Class members are readily
 19 identifiable from Defendant's records.

20 **V. SUMMARY OF FACTUAL ALLEGATIONS**

21 5.1 Common Course of Conduct: Failure to Pay for All Hours of Work. Defendant
 22 has engaged in a common course of failing to pay Plaintiff and Class members for each hour
 23 worked.

24 5.2 Defendant pays its drivers a piece rate for driving work—specifically, a certain
 25 amount for each mile driven. Defendant also pays drivers a piece rate for certain other
 26 activities.
 27

5.3 Defendant has engaged in a common course of failing to pay Plaintiff and Class members at least minimum wage for all hours of work performed during mandatory orientation and driver training. Defendant requires new drivers to attend a mandatory orientation at Defendant's headquarters in Greeley, Colorado. Defendant pays drivers a set weekly rate for this orientation. Defendant also requires new drivers to complete at least 15,000 miles of driver training. Defendant pays drivers a set weekly rate for hours spent training.

5.4 Defendant has engaged in a common course of failing to pay Plaintiff and Class members at least minimum wage for all hours spent performing many work activities, including but not limited to pickups, deliveries, waiting and detention time, fueling, scaling, loading, washing and cleaning trailers and tractors, unloading, pre-trip and post-trip inspections, communicating with dispatch, completing paperwork, completing online training courses, assisting new driver orientation, transporting drivers to and from Defendant's facilities, and moving trailers at Defendant's facilities.

5.5 Defendant has engaged in a common course of encouraging Plaintiff and Class members to perform non-driving work activities while off the clock and in "off-duty" or "sleeper berth" status.

5.6 Defendant has had actual or constructive knowledge of the facts set forth in Paragraphs 5.1 through 5.5.

5.7 Common Course of Conduct: Failure to Provide Paid Rest Breaks. Defendant has engaged in a common course of failing to provide Plaintiff and Class members with a paid ten-minute rest break for every four hours of work.

5.8 Defendant has engaged in a common course of failing to separately pay Class members for rest breaks, whether received or not, at their average hourly rate.

5.9 Defendant has had actual or constructive knowledge of the facts set forth in Paragraphs 5.7 through 5.8.

1 5.10 Common Course of Conduct: Failure to Pay Overtime Wages. Defendant has
2 engaged in a common course of failing to pay overtime wages to Plaintiff and Class members.

3 5.11 Defendant has engaged in a common course of failing to pay overtime wages to
4 Plaintiff and Class members for hours worked in excess of forty hours per week. Defendant's
5 piece-rate compensation system fails to pay drivers the reasonable equivalent of overtime
6 pay.

7 5.12 Defendant has had actual or constructive knowledge of the facts set forth in
8 Paragraphs 5.10 through 5.11.

9 5.13 Common Course of Conduct: Failure to Maintain and Provide Accurate Wage
10 Statements. Defendant has engaged in a common course of failing to keep true and accurate
11 time records for all hours worked by Plaintiff and Class members.

12 5.14 Defendant has engaged in a common course of failing to provide proper payroll
13 documents to Plaintiff and Class members.

14 5.15 Defendant has had actual or constructive knowledge of the facts set forth in
15 Paragraphs 5.13 through 5.14.

16 **VI. FIRST CLAIM FOR RELIEF**
17 **(Violations of RCW 49.12.020 and WAC 296-126-092 —**
18 **Failure to Provide Paid Rest Periods)**

19 6.1 Plaintiff realleges and incorporates by reference each and every allegation set
20 forth in the preceding paragraphs.

21 6.2 RCW 49.12.010 provides that "[t]he welfare of the state of Washington
22 demands that all employees be protected from conditions of labor which have a pernicious
23 effect on their health. The state of Washington, therefore, exercising herein its police and
24 sovereign power declares that inadequate wages and unsanitary conditions of labor exert
25 such pernicious effect."
26
27

1 6.3 RCW 49.12.020 provides that “[i]t shall be unlawful to employ any person in
2 any industry or occupation within the state of Washington under conditions of labor
3 detrimental to their health.”

4 6.4 Under RCW 49.12.005 and WAC 296-126-002, “conditions of labor” “means
5 and includes the conditions of rest . . . periods” for employees.

6 6.5 WAC 296-126-092 provides that employees shall be allowed certain paid rest
7 periods during their shifts.

8 6.6 Under Washington law, Defendant has an obligation to separately pay
9 employees for each rest break to which they are entitled, regardless of whether the
10 employees receive those rest breaks.

11 6.7 By the actions alleged above, Defendant has violated the provisions of RCW
12 49.12.020 and WAC 296-126-092.

13 6.8 As a result of the unlawful acts of Defendant, Plaintiff and members of the
14 Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff
15 and members of the Class are entitled to the recovery of such damages, including interest
16 thereon, attorneys’ fees under RCW 49.48.030, and costs.

17 **VII. SECOND CLAIM FOR RELIEF**

18 **(Violation of RCW 49.46.090 — Payment of Wages Less than Entitled)**

19 7.1 Plaintiff realleges and incorporates by reference each and every allegation set
20 forth in the preceding paragraphs.

21 7.2 RCW 49.46.020 provides that every employer shall pay its employees not less
22 than the minimum hourly wage in effect at the time the work is performed.

23 7.3 RCW 49.46.090 provides that “[a]ny employer who pays any employee less
24 than wages to which such employee is entitled under or by virtue of [the Minimum Wage Act],
25 shall be liable to such employee affected for the full amount of such wage rate, less any
26 amount actually paid to such employee by the employer, and for costs and such reasonable
27 attorney's fees as may be allowed by the court.”

1 7.4 By the actions alleged above, Defendant has violated the provisions of RCW
2 49.46.090.

3 7.5 As a result of the unlawful acts of Defendant, Plaintiff and members of the
4 Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff
5 and members of the Class are entitled to the recovery of such damages, including interest
6 thereon, as well as attorneys' fees and costs under RCW 49.46.090.

7 **VIII. THIRD CLAIM FOR RELIEF**
8 **(Violations of RCW 49.46.130 – Failure to Pay Overtime Wages)**

9 8.1 Plaintiff realleges and incorporate by reference each and every allegation set
10 forth in the preceding paragraphs.

11 8.2 RCW 49.46.130 provides that “no employer shall employ any of his employees
12 for a workweek longer than 40 hours unless such employee receives compensation for his
13 employment in excess of the hours above specified at a rate not less than one and one-half
14 times the regular rate at which he is employed.”

15 8.3 RCW 49.46.130 (f) excludes an individual employed as a truck or bus driver who
16 is subject to the provisions of the Federal Motor Carrier Act (49 U.S.C. Sec. 3101 et seq. and 49
17 U.S.C. Sec. 10101 et seq.), if the compensation system under which the truck or bus driver is
18 paid includes overtime pay, reasonably equivalent to that required by this subsection, for
19 working longer than forty hours per week. Upon information and belief, Defendant did not
20 employ a “reasonably equivalent” method to pay overtime to Plaintiff and Class members.

21 8.4 WAC 296-128-012 provides a method for compensating truck drivers for
22 overtime pay. Defendant did not compensate Plaintiff and Class members for overtime hours
23 worked.

24 8.5 By the actions alleged above, Defendant has violated the provisions of RCW
25 49.46.130.

26 8.6 As a result of the unlawful acts of Defendant, Plaintiff and members of the
27 Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff

1 and members of the Class are entitled to recovery of such damages, including interest
2 thereon, as well as attorneys' fees and costs under RCW 49.46.090.

3 **IX. FOURTH CLAIM FOR RELIEF**

4 **(Violation of RCW 49.48.010 — Unpaid Wages on Termination)**

5 9.1 Plaintiff realleges and incorporates by reference each and every allegation set
6 forth in the preceding paragraphs.

7 9.2 RCW 49.48.010 provides that "[w]hen any employee shall cease to work for an
8 employer, whether by discharge or by voluntary withdrawal, the wages due him or her on
9 account of his or her employment shall be paid to him or her at the end of the established pay
10 period." The statute further provides that "[i]t shall be unlawful for any employer to withhold
11 or divert any portion of an employee's wages"

12 9.3 By the actions alleged above, Defendant has violated the provisions of RCW
13 49.48.010 by failing to pay wages to Plaintiff and Class members for rest breaks, by failing to
14 pay wages to Plaintiff and Class members for all hours of work, and by failing to pay overtime
15 wages to Plaintiff and Class members.

16 9.4 As a result of the unlawful acts of Defendant, Plaintiff and members of the
17 Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff
18 and members of the Class are entitled to the recovery of such damages, including interest
19 thereon, attorneys' fees under RCW 49.48.030, and costs.

20 **X. FIFTH CLAIM FOR RELIEF**

21 **(Violation of RCW 49.52.050 — Willful Deprivation of Wages)**

22 10.1 Plaintiff realleges and incorporates by reference each and every allegation set
23 forth in the preceding paragraphs.

24 10.2 RCW 49.52.050(2) provides that "[a]ny employer or officer, vice principal or
25 agent of any employer . . . who . . . [w]ilfully and with intent to deprive the employee of any
26 part of his or her wages, shall pay any employee a lower wage than the wage such employer is
27

obligated to pay such employee by any statute, ordinance, or contract” shall be guilty of a misdemeanor.

10.3 Defendant’s violations of RCW 49.12.020, WAC 296-126-092, RCW 49.46.090, RCW 49.46.130, and RCW 49.48.010 as discussed above, were willful and constitute violations of RCW 49.52.050.

10.4 RCW 49.52.070 provides that any employer who violates the provisions of RCW 49.52.050 shall be liable in a civil action for twice the amount of wages withheld, attorneys’ fees, and costs.

10.5 As a result of the willful, unlawful acts of Defendant, Plaintiff and members of the Class have been deprived of compensation in amounts to be determined at trial and Plaintiff and members of the Class are entitled to recovery of twice such damages, including interest thereon, as well as attorneys’ fees and costs under RCW 49.52.070.

XI. PRAYER FOR RELIEF

WHEREFORE, Plaintiff, on his own and on behalf of the members of the Class, prays for judgment against Defendant as follows:

- A. Certify the proposed Class;
- B. Appoint Plaintiff as representative of the Class;
- C. Appoint the undersigned attorneys as counsel for the Class;
- D. Award compensatory and exemplary damages to Plaintiff and Class members for violation of Washington’s wage and hour laws, in amounts to be proven at trial;
- E. Award attorneys’ fees and costs to Plaintiff and Class members, as allowed by law;
- F. Award prejudgment and post-judgment interest to Plaintiff and Class members, as provided by law;

1 G. Permit Plaintiff and members of the Class leave to amend the complaint to
2 conform to the evidence presented at trial; and

3 H. Grant such other and further relief as the Court deems necessary, just, and
4 proper.

5 RESPECTFULLY SUBMITTED AND DATED this 5th day of September, 2017.

6 TERRELL MARSHALL LAW GROUP PLLC

7
8 By: /s/ Toby J. Marshall, WSBA #32726

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26 *Attorneys for Plaintiff*

Exh. B-1

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 17-2-23242-4 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

Kurt Skau

Plaintiff(s),

vs.

JBS Carries, Inc.

Respondent(s)

NO. 17-2-23242-4 SEA

ORDER SETTING CIVIL CASE SCHEDULE

ASSIGNED JUDGE: Galvan, Veronica Alicea, Dept. 21

FILED DATE: 9/5/2017

TRIAL DATE: 9/4/2018

SCOMIS CODE: *ORSCS

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

NOTICE TO PLAINTIFF: The Plaintiff may serve a copy of this **Order Setting Case Schedule (Schedule)** on the Defendant(s) along with the **Summons and Complaint/Petition**. Otherwise, the Plaintiff shall serve the **Schedule** on the Defendant(s) within 10 days after the later of: (1) the filing of the **Summons and Complaint/Petition** or (2) service of the Defendant's first response to the **Complaint/Petition**, whether that response is a **Notice of Appearance**, a response, or a Civil Rule 12 (CR 12) motion. The **Schedule** may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

"I understand that I am required to give a copy of these documents to all parties in this case."

PRINT NAME

SIGN NAME

I. NOTICES (continued)

NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLCR] -- especially those referred to in this *Schedule*. In order to comply with the *Schedule*, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLCR 26], and for meeting the discovery cutoff date [See KCLCR 37(g)].

CROSSCLAIMS, COUNTERCLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$240 must be paid when any answer that includes additional claims is filed in an existing case.

KCLCR 4.2(a)(2)

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. The court will review the confirmation of joinder document to determine if a hearing is required. If a Show Cause order is issued, all parties cited in the order must appear before their Chief Civil Judge.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLCR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLCR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule **if the case is subject to mandatory arbitration** and service of the original complaint and all answers to claims, counterclaims and cross-claims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. **Any party filing a Statement must pay a \$220 arbitration fee.** If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$250 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4A.630.020 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Civil Rule 41.

King County Local Rules are available for viewing at www.kingcounty.gov/courts/clerk.

II. CASE SCHEDULE

✓	CASE EVENTS	DATE
	Case Filed and Schedule Issued.	9/5/2017
✓	Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See KCLMAR2.1(a) and Notices on page 2]. \$220 Arbitration fee must be paid	2/13/2018
✓	DEADLINE to file Confirmation of Joinder if not subject to Arbitration [See KCLCR 4.2(a) and Notices on page 2]	2/13/2018
	DEADLINE for Hearing Motions to Change Case Assignment Area [KCLCR 82(e)]	2/27/2018
	DEADLINE for Disclosure of Possible Primary Witnesses [See KCLCR 26(k)]	4/3/2018
	DEADLINE for Disclosure of Possible Additional Witnesses [KCLCR 26(k)]	5/15/2018
	DEADLINE for Jury Demand [See KCLCR 38(b)(2)]	5/29/2018
	DEADLINE for Change in Trial Date [See KCLCR 40(e)(2)]	5/29/2018
	DEADLINE for Discovery Cutoff [See KCLCR 37(g)]	7/17/2018
	DEADLINE for Engaging in Alternative Dispute Resolution [See KCLCR 16(b)]	8/7/2018
	DEADLINE for Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLCR 4(j)]	8/14/2018
✓	DEADLINE to file Joint Confirmation of Trial Readiness [See KCLCR 16(a)(1)]	8/14/2018
	DEADLINE for Hearing Dispositive Pretrial Motions [See KCLCR 56; CR56]	8/21/2018
✓	Joint Statement of Evidence [See KCLCR 4(k)]	8/28/2018
	DEADLINE for filing Trial Briefs, Proposed Findings of Fact and Conclusions of Law and Jury Instructions (Do not file proposed Findings of Fact and Conclusion of Law with the Clerk)	8/28/2018
	Trial Date [See KCLCR 40]	9/4/2018

The ✓ indicates a document that must be filed with the Superior Court Clerk's Office by the date shown.

III. ORDER

Pursuant to King County Local Rule 4 [KCLCR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action must serve this *Order Setting Civil Case Schedule* and attachment on all other parties.



DATED: 9/5/2017

PRESIDING JUDGE

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER BEFORE CONTACTING YOUR ASSIGNED JUDGE.

This case is assigned to the Superior Court Judge whose name appears in the caption of this case schedule. The assigned Superior Court Judge will preside over and manage this case for all pretrial matters.

COMPLEX LITIGATION: If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

APPLICABLE RULES: Except as specifically modified below, all the provisions of King County Local Civil Rules 4 through 26 shall apply to the processing of civil cases before Superior Court Judges. The local civil rules can be found at www.kingcounty.gov/courts/clerk/rules/Civil.

CASE SCHEDULE AND REQUIREMENTS: Deadlines are set by the case schedule, issued pursuant to Local Civil Rule 4.

THE PARTIES ARE RESPONSIBLE FOR KNOWING AND COMPLYING WITH ALL DEADLINES IMPOSED BY THE COURT'S LOCAL CIVIL RULES.

A. Joint Confirmation regarding Trial Readiness Report

No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g., interpreters, equipment).

The Joint Confirmation Regarding Trial Readiness form is available at www.kingcounty.gov/courts/scforms. If parties wish to request a CR 16 conference, they must contact the assigned court. Plaintiff's/petitioner's counsel is responsible for contacting the other parties regarding the report.

B. Settlement/Mediation/ADR

a. Forty five (45) days before the trial date, counsel for plaintiff/petitioner shall submit a written settlement demand. Ten (10) days after receiving plaintiff's/petitioner's written demand, counsel for defendant/respondent shall respond (with a counter offer, if appropriate).

b. Twenty eight (28) days before the trial date, a Settlement/Mediation/ADR conference shall have been held. FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.

C. Trial

Trial is scheduled for 9:00 a.m. on the date on the case schedule or as soon thereafter as convened by the court. The Friday before trial, the parties should access the court's civil standby calendar on the King County Superior Court website www.kingcounty.gov/courts/superiorcourt to confirm the trial judge assignment.

MOTIONS PROCEDURES

A. Noting of Motions

Dispositive Motions: All summary judgment or other dispositive motions will be heard with oral argument before the assigned judge. The moving party must arrange with the hearing judge a date and time for the hearing, consistent with the court rules. Local Civil Rule 7 and Local Civil Rule 56 govern procedures for summary judgment or other motions that dispose of the case in whole or in part. The local civil rules can be found at www.kingcounty.gov/courts/clerk/rules/Civil.

Non-dispositive Motions: These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements. Rather than noting a time of day, the

Note for Motion should state "Without Oral Argument." Local Civil Rule 7 governs these motions, which include discovery motions. The local civil rules can be found at www.kingcounty.gov/courts/clerk/rules/Civil.

Motions in Family Law Cases not involving children: Discovery motions to compel, motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions calendar. Local Civil Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at www.kingcounty.gov/courts/clerk/rules.

Emergency Motions: Under the court's local civil rules, emergency motions will usually be allowed only upon entry of an Order Shortening Time. However, some emergency motions may be brought in the Ex Parte and Probate Department as expressly authorized by local rule. In addition, discovery disputes may be addressed by telephone call and without written motion, if the judge approves in advance.

B. Original Documents/Working Copies/ Filing of Documents: All original documents must be filed with the Clerk's Office. Please see information on the Clerk's Office website at www.kingcounty.gov/courts/clerk regarding the requirement outlined in LGR 30 that attorneys must e-file documents in King County Superior Court. The exceptions to the e-filing requirement are also available on the Clerk's Office website. The local rules can be found at www.kingcounty.gov/courts/clerk/rules.

The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge. The assigned judge's working copies must be delivered to his/her courtroom or the Judges' mailroom. Working copies of motions to be heard on the Family Law Motions Calendar should be filed with the Family Law Motions Coordinator. Working copies can be submitted through the Clerk's office E-Filing application at www.kingcounty.gov/courts/clerk/documents/eWC.

Service of documents: Pursuant to Local General Rule 30(b)(4)(B), e-filed documents shall be electronically served through the e-Service feature within the Clerk's eFiling application. Pre-registration to accept e-service is required. E-Service generates a record of service document that can be e-filed. Please see the Clerk's office website at www.kingcounty.gov/courts/clerk/documents/efiling regarding E-Service.

Original Proposed Order: Each of the parties must include an original proposed order granting requested relief with the working copy materials submitted on any motion. **Do not file the original of the proposed order with the Clerk of the Court.** Should any party desire a copy of the order as signed and filed by the judge, a pre-addressed, stamped envelope shall accompany the proposed order. The court may distribute orders electronically. Review the judge's website for information: www.kingcounty.gov/courts/SuperiorCourt/judges.

Presentation of Orders for Signature: All orders must be presented to the assigned judge or to the Ex Parte and Probate Department, in accordance with Local Civil Rules 40 and 40.1. Such orders, if presented to the Ex Parte and Probate Department, shall be submitted through the E-Filing/Ex Parte via the Clerk application by the attorney(s) of record. E-filing is not required for self-represented parties (non-attorneys). If the assigned judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the Ex Parte and Probate Department. Such orders shall be submitted through the E-Filing/Ex Parte via the Clerk application by the attorney(s) of record. E-filing is not required for self-represented parties (non-attorneys). Formal proof in Family Law cases must be scheduled before the assigned judge by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. **If final order and/or formal proof are entered in the Ex Parte and Probate Department, counsel is responsible for providing the assigned judge with a copy.**

C. Form

Pursuant to Local Civil Rule 7(b)(5)(B), the initial motion and opposing memorandum shall not exceed 4,200 words and reply memoranda shall not exceed 1,750 words without authorization of the court. The word count includes all portions of the document, including headings and footnotes, except 1) the caption; 2) table of contents and/or authorities, if any; and 3) the signature block. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PEITITONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.



PRESIDING JUDGE

Exh. B-2

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT OF WASHINGTON
COUNTY OF KING

Kurt Skau

VS

JBS Carries, Inc.

NO. 17-2-23242-4 SEA

CASE INFORMATION COVER SHEET
AND AREA DESIGNATION

CAUSE OF ACTION

(MSC) - OTHER COMPLAINT/PETITION (MSC 2)

AREA DESIGNATION

SEATTLE -

Defined as all King County north of Interstate 90 and including all of Interstate 90 right of way, all of the cities of Seattle, Mercer Island, Issaquah, and North Bend, and all of Vashon and Maury Islands.

Exh. B-3

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO.

SUMMONS (20 DAY)

TO: JBS CARRIERS, INC.:

A lawsuit has been started against you in the above-entitled court by the Plaintiff. The Plaintiff's claims are stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and by serving a copy upon the person signing this summons within 20 days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where the Plaintiff is entitled to what has been asked for because you have not responded. If you serve a notice of appearance on the undersigned person, you are entitled to notice before a default judgment may be entered.

You may demand that Plaintiff file this lawsuit with the Court. If you do so, the demand must be in writing and must be served upon the Plaintiff. Within fourteen (14) days

SUMMONS (20 DAY) - 1

TERRELL MARSHALL LAW GROUP PLLC
936 North 34th Street, Suite 300
Seattle, Washington 98103-8869
TEL. 206.816.6603 • FAX 206.319.5450
www.terrellmarshall.com

1 after you serve the demand, the Plaintiff must file this lawsuit with the Court, or the service
2 on you of this Summons and Complaint will be void.

3 If you wish to seek the advice of an attorney in this matter, you should do so promptly
4 so that your written response, if any, may be served on time.

5 THIS SUMMONS is issued pursuant to Rule 4 of the Superior Court Civil Rules of the
6 State of Washington.

7 RESPECTFULLY SUBMITTED AND DATED this 5th day of September, 2017.

8 TERRELL MARSHALL LAW GROUP PLLC

9
10 By: /s/ Toby J. Marshall, WSBA #32726

11 Toby J. Marshall, WSBA #32726

12 Email: tmarshall@terrellmarshall.com

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Attorneys for Plaintiff

Exh. B-4

FILED
17 SEP 13 PM 2:36
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

IN THE SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF WASHINGTON

**KURT SKAU, ON BEHALF OF HIMSELF AND ON
BEHALF OF OTHERS SIMILARLY SITUATED**

Plaintiff/Petitioner

vs.

JBS CARRIERS, INC., A DELAWARE CORPORATION

Defendant/Respondent

Cause No.: **17-2-23242-4 SEA**

Hearing Date:

AFFIDAVIT OF SERVICE OF

**SUMMONS; CLASS ACTION COMPLAINT FOR DAMAGES;
CASE ASSIGNMENT AREA DESIGNATION AND CASE
INFORMATION COVER SHEET; ORDER SETTING CIVIL
CASE SCHEDULE; CASE INFORMATION COVER SHEET
AND AREA DESIGNATION; PLAINTIFF'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION
OF DOCUMENTS PROPOUNDED TO DEFENDANT**

The undersigned hereby declares: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the **6th day of September, 2017 at 1:23 PM** at the address of **1560 BROADWAY SUITE 2090, DENVER, Denver County, CO 80202**; this declarant served the above described documents upon **JBS CARRIERS, INC., A DELAWARE CORPORATION c/o CORPORATION SERVICE COMPANY, REGISTERED AGENT** by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with **Kurt Plender , CLERK, PERSON AUTHORIZED TO ACCEPT, who accepted service, with identity confirmed by physical description, a gray-haired white male approx. 45-55 years of age, 5'6"-5'8" tall and weighing 160-180 lbs..**

No information was provided or discovered that indicates that the subjects served are members of the United States military.

ORIGINAL PROOF OF SERVICE

PAGE 1 OF 2



For: Terrell Marshall & Daudt, PLLC
Ref #: 2092-001

Tracking #: 0018977946



PLAINTIFF/PETITIONER: KURT SKAU, ON BEHALF OF HIMSELF AND ON BEHALF OF OTHERS SIMILARLY SITUATED	CASE NUMBER: 17-2-23242-4 SEA
DEFENDANT/RESPONDENT: JBS CARRIERS, INC., A DELAWARE CORPORATION	

Service Fee Total: \$ 167.50

DATED this 8th day of September, 2017

Megan Grimes
Megan Grimes

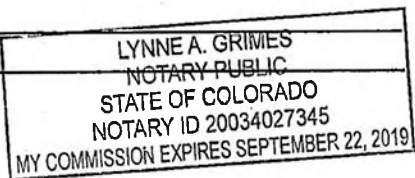
Subscribed and Sworn to before me this 8 day of Sept, 2017.

Lynne A. Grimes

NOTARY PUBLIC in and for the State of Colorado

Residing at: _____

My commission expires _____



ORIGINAL PROOF OF SERVICE

PAGE 2 OF 2



For: Terrell Marshall & Daudt, PLLC
Ref #: 2092-001

Tracking #: 0018977946



Exh. B-5

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 17-2-23242-4 SEA

KING COUNTY SUPERIOR COURT
CASE ASSIGNMENT AREA DESIGNATION and CASE INFORMATION COVER SHEET
(CICS)

Pursuant to King County Code 4A.630.060, a faulty document fee of \$15 may be assessed to new case filings missing this sheet.

CASE NUMBER: _____
(Provided by the Clerk)

CASE CAPTION: Kurt Skau v. JBS Carriers, Inc.
(New case: Print name of person starting case **vs.** name of person or agency you are filing against.)
(When filing into an existing family law case, the case caption remains the same as the original filing.)

Please mark one of the boxes below:

☒ **Seattle Area**, defined as:

All of King County north of Interstate 90 and including all of the Interstate 90 right-of-way; all the cities of Seattle, Mercer Island, Bellevue, Issaquah and North Bend; and all of Vashon and Maury Islands.

☐ **Kent Area**, defined as:

All of King County south of Interstate 90 except those areas included in the Seattle Case Assignment Area.

I certify that this case meets the case assignment criteria, described in King County LCR 82(e).

<u>/s/ Toby J. Marshall, WSBA #32726</u>	<u>09/05/2017</u>
Signature of Attorney	Date

or

_____ Signature of person who is starting case	_____ Date
---	---------------

936 North 34th Street, Suite 300, Seattle, Washington 98103
Address, City, State, Zip Code of person who is starting case if not represented by attorney

KING COUNTY SUPERIOR COURT
CASE ASSIGNMENT AREA DESIGNATION and CASE INFORMATION COVER SHEET

CIVIL

Please check the category that best describes this case.

APPEAL/REVIEW

- ☐ Administrative Law Review (ALR 2)*
(Petition to the Superior Court for review of rulings made by state administrative agencies.(e.g. DSHS Child Support, Good to Go passes, denial of benefits from Employment Security, DSHS, L & I))
- ☐ DOL Revocation (DOL 2)*
(Appeal of a DOL revocation Implied consent-Test refusal ONLY.) RCW 46.20.308(9)

CONTRACT/COMMERCIAL

- ☐ Breach of Contract (COM 2)*
(Complaint involving money dispute where a breach of contract is involved.)
- ☐ Commercial Contract (COM 2)*
(Complaint involving money dispute where a contract is involved.)
- ☐ Commercial Non-Contract (COL 2)*
(Complaint involving money dispute where no contract is involved.)
- ☐ Third Party Collection (COL 2)*
(Complaint involving a third party over a money dispute where no contract is involved.)

JUDGMENT

- ☐ Abstract, Judgment, Another County (ABJ 2)
(A certified copy of a judgment docket from another Superior Court within the state.)
- ☐ Confession of Judgment (MSC 2)*
(The entry of a judgment when a defendant admits liability and accepts the amount of agreed-upon damages but does not pay or perform as agreed upon.)
- ☐ Foreign Judgment (from another State or Country) (FJU 2)
(Any judgment, decree, or order of a court of the United States, or of any state or territory, which is entitled to full faith and credit in this state.)
- ☐ Tax Warrant or Warrant (TAX 2)
(A notice of assessment by a state agency or self-insured company creating a judgment/lien in the county in which it is filed.)
- ☐ Transcript of Judgment (TRJ 2)
(A certified copy of a judgment from a court of limited jurisdiction (e.g. District or Municipal court) to a Superior Court.)

PROPERTY RIGHTS

- ☐ Condemnation/Eminent Domain (CON 2)*
(Complaint involving governmental taking of private property with payment, but not necessarily with consent.)
- ☐ Foreclosure (FOR 2)*
(Complaint involving termination of ownership rights when a mortgage or tax foreclosure is involved, where ownership is not in question.)
- ☐ Land Use Petition (LUP 2)*
(Petition for an expedited judicial review of a land use decision made by a local jurisdiction.) RCW 36.70C.040
- ☐ Property Fairness (PFA 2)*
(Complaint involving the regulation of private property or restraint of land use by a government entity brought forth by Title 64.)
- ☐ Quiet Title (QTI 2)*
(Complaint involving the ownership, use, or disposition of land or real estate other than foreclosure.)
- ☐ Residential Unlawful Detainer (Eviction) (UND 2)
(Complaint involving the unjustifiable retention of lands or attachments to land, including water and mineral rights.)
- ☐ Non-Residential Unlawful Detainer (Eviction) (UND 2)
(Commercial property eviction.)

OTHER COMPLAINT/PETITION

- ☐ Action to Compel/Confirm Private Binding Arbitration (MSC 2)
(Petition to force or confirm private binding arbitration.)
- ☐ Bond Justification (MSC 2)
(Bail bond company desiring to transact surety bail bonds in King County facilities.)
- ☐ Change of Name (CHN 5)
(Petition for name change, when domestic violence/antiharassment issues require confidentiality.)
- ☐ Certificate of Rehabilitation (MSC 2)
(Petition to restore civil and political rights.)
- ☐ Certificate of Restoration of Opportunity (MSC 2)
(Establishes eligibility requirements for certain professional licenses)
- ☐ Civil Commitment (sexual predator) (PCC 2)
(Petition to detain an individual involuntarily.)
- ☐ Deposit of Surplus Funds (MSC 2)
(Deposit of extra money from a foreclosure after payment of expenses from sale and obligation secured by the deed of trust.)
- ☐ Emancipation of Minor (EOM 2)
(Petition by a minor for a declaration of emancipation.)
- ☐ Foreign Subpoena (MSC 2)
(To subpoena a King County resident or entity for an out of state case.)

- ☐ Frivolous Claim of Lien (MSC 2)
(Petition or Motion requesting a determination that a lien against a mechanic or materialman is excessive or unwarranted.)
- ☐ Injunction (INJ 2)*
(Complaint/petition to require a person to do or refrain from doing a particular thing.)
- ☐ Interpleader (MSC 2)
(Petition for the deposit of disputed earnest money from real estate, insurance proceeds, and/or other transaction(s).)
- ☐ Malicious Harassment (MHA 2)*
(Suit involving damages resulting from malicious harassment.) RCW 9a.36.080
- ☐ Non-Judicial Filing (MSC 2)
(See probate section for TEDRA agreements. To file for the record document(s) unrelated to any other proceeding and where there will be no judicial review.)
- ☒ Other Complaint/Petition (MSC 2)*
(Filing a Complaint/Petition for a cause of action not listed.)
- ☐ Public records Act (PRA 2)*
(Actions filed under RCW 42.56.)
- ☐ Receivership (MSC 2)
(The process of appointment by a court of a receiver to take custody of the property, business, rents and profits of a party to a lawsuit pending a final decision on disbursement or an agreement.)
- ☐ Relief from Duty to Register (RDR2)
(Petition seeking to stop the requirement to register.)
- ☐ Restoration of Firearm Rights (RFR 2)
(Petition seeking restoration of firearms rights under RCW 9.41.040 and 9.41.047.)
- ☐ School District-Required Action Plan (SDR 2)
(Petition filed requesting court selection of a required action plan proposal relating to school academic performance.)
- ☐ Seizure of Property from the Commission of a Crime-Seattle (SPC 2)*
(Seizure of personal property which was employed in aiding, abetting, or commission of a crime, from a defendant after conviction.)
- ☐ Seizure of Property Resulting from a Crime-Seattle (SPR 2)*
(Seizure of tangible or intangible property which is the direct or indirect result of a crime, from a defendant following criminal conviction. (e.g., remuneration for, or contract interest in, a depiction or account of a crime.))
- ☐ Structured Settlements- Seattle (MSC 2)
(A financial or insurance arrangement whereby a claimant agrees to resolve a personal injury tort claim by receiving periodic payments on an agreed schedule rather than as a lump sum.)
- ☐ Vehicle Ownership (MSC 2)*
(Petition to request a judgment awarding ownership of a vehicle.)
- TORT, ASBESTOS**
- ☐ Personal Injury (PIN 2)*
(Complaint alleging injury resulting from asbestos exposure.)
- ☐ Wrongful Death (WDE 2)*
(Complaint alleging death resulting from asbestos exposure.)

TORT, MEDICAL MALPRACTICE

- ☐ Hospital (MED 2)*
(Complaint involving injury or death resulting from a hospital.)
- ☐ Medical Doctor (MED 2)*
(Complaint involving injury or death resulting from a medical doctor.)
- ☐ Other Health care Professional (MED 2)*
(Complaint involving injury or death resulting from a health care professional other than a medical doctor.)

TORT, MOTOR VEHICLE

- ☐ Death (TMV 2)*
(Complaint involving death resulting from an incident involving a motor vehicle.)
- ☐ Non-Death Injuries (TMV 2)*
(Complaint involving non-death injuries resulting from an incident involving a motor vehicle.)
- ☐ Property Damages Only (TMV 2)*
(Complaint involving only property damages resulting from an incident involving a motor vehicle.)
- ☐ Victims Vehicle Theft (VVT 2)*
(Complaint filed by a victim of car theft to recover damages.) RCW 9A.56.078

TORT, NON-MOTOR VEHICLE

- ☐ Implants (PIN 2)
- ☐ Other Malpractice (MAL 2)*
(Complaint involving injury resulting from other than professional medical treatment.)

- ☐ Personal Injury (PIN 2)*
(Complaint involving physical injury not resulting from professional medical treatment, and where a motor vehicle is not involved.)
- ☐ Products Liability (TTO 2)*
(Complaint involving injury resulting from a commercial product.)
- ☐ Property Damages (PRP 2)*
(Complaint involving damage to real or personal property excluding motor vehicles.)

- ☐ Property Damages-Gang (PRG 2)*
(Complaint to recover damages to property related to gang activity.)

- ☐ Tort, Other (TTO 2)*
(Any other petition not specified by other codes.)

- ☐ Wrongful Death (WDE 2)*
(Complaint involving death resulting from other than professional medical treatment.)

WRIT

- ☐ Habeas Corpus (WHC 2)
(Petition for a writ to bring a party before the court.)
- ☐ Mandamus (WRM 2)**
(Petition for writ commanding performance of a particular act or duty.)
- ☐ Review (WRV 2)**
(Petition for review of the record or decision of a case pending in the lower court; does not include lower court appeals or administrative law reviews.)

* The filing party will be given an appropriate case schedule at time of filing.

** Case schedule will be issued after hearing and findings.

Exh. B-6

FILED

17 SEP 21 PM 2:14

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation

Defendant.

Case No. 17-2-23242-4 SEA

NOTICE OF APPEARANCE
ON BEHALF OF DEFENDANT JBS
CARRIERS, INC.

TO: CLERK OF THE COURT

AND TO: Plaintiff KURT SKAU

AND TO: TOBY J. MARSHALL, MARIA HOISINGTON-BINGHAM, HARDEEP S.
REKHI and GREGORY A. WOLK plaintiff's attorneys.

YOU AND EACH OF YOU will please take notice that Michael J. Killeen of Davis
Wright Tremaine LLP and Jonathon Watson of Sherman & Howard, who will submit an
appropriate pro hac vice motion, hereby appear as co-counsel on behalf of Defendant JBS
Carriers, Inc., in the above-entitled action, and request that all further papers and pleadings in
this matter, except original process, be served upon the undersigned attorneys at their address
below stated.

1 DATED this 21st day of September 2017.

2 Davis Wright Tremaine LLP

3 By: 

4 Michael J. Killeen, WSBA # 7837

5 1201 Third Avenue, Suite 2200

6 Seattle, WA 98101-3045

7 Telephone: 206-622-3150

8 Fax: 206-757-7700

9 E-mail: MikeKilleen@dwt.com

10 Attorneys for Defendant JBS Carriers, Inc.

11 Sherman & Howard LLC

12 Jonathon Watson,

13 633 Seventeenth Street, Suite 3000

14 Denver, Colorado 80202

15 Telephone: 303-299-8286

16 Fax: 303-298-0940

17 E-mail: JWatson@shermanhoward.com

18 Co-counsel for Defendant JBS Carriers, Inc.

CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington and the United States that, on the date indicated below, I electronically filed the foregoing document with the Clerk of the Court using the ECF system and will provide a copy of such filing to the following:

Via Legal Messenger

TERRELL MARSHALL LAW GROUP LLC

Toby J. Marshall, WSBA # 32726

Email: tmarshall@terrellmarshall.com

Maria Hoisington-Bingham, WSBA # 51493

Email: mhoisington@terrellmarshall.com

936 North 34th Street, Suite 300

Seattle, Washington 98103-8869

Telephone: 206-816-6603

Facsimile: 206-319-5450

REKHI & WOLK, P.S.

Hardeep S. Rekhi, WSBA #34579

Email: Hardeep@rekhiwolk.com

Gregory A. Wolk, WSBA #28946

Email: greg@rekhiwolk.com

529 Warren Avenue North, Suite 201

Seattle, WA 98109

Telephone: (206) 388-5887

Facsimile: (206) 577-3924

DATED this 21st day of September 2017.



Lindsey Strickland

Davis Wright Tremaine LLP

1201 Third Avenue, Suite 2200

Seattle, WA 98101-3045

P: 206-622-3150

F: 206-757-7700

Email: lindseystrickland@dwt.com

Exh. B-7

FILED

17 OCT 02 PM 1:43

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation

Defendant.

Case No. 17-2-23242-4 SEA

NOTICE OF APPEARANCE
ON BEHALF OF DEFENDANT JBS
CARRIERS, INC.

TO: CLERK OF THE COURT

AND TO: Plaintiff KURT SKAU

AND TO: TOBY J. MARSHALL, MARIA HOISINGTON-BINGHAM, HARDEEP S.
REKHI and GREGORY A. WOLK plaintiff's attorneys.

YOU AND EACH OF YOU will please take notice that N. Joseph Wonderly of Davis Wright
Tremaine LLP, hereby joins Michael J. Killeen of Davis Wright Tremaine LLP and Jonathon
Watson of Sherman & Howard and appears as co-counsel on behalf of Defendant JBS Carriers,
Inc., in the above-entitled action, and requests that all further papers and pleadings in this
matter, except original process, be served upon him at the address below stated.

1 DATED this 2nd day of October 2017.

2 Davis Wright Tremaine LLP

3 By: 

4 N. Joseph Wonderly, WSBA #51925

5 1201 Third Avenue, Suite 2200

6 Seattle, WA 98101-3045

7 Telephone: 206-757-8286

8 Fax: 206-757-7286

9 E-mail: JoeWonderly@dwt.com

10 Co-counsel for Defendant JBS Carriers, Inc.

CERTIFICATE OF SERVICE


I hereby declare under penalty of perjury under the laws of the State of Washington and the United States that, on the date indicated below, I electronically filed the foregoing document with the Clerk of the Court using the ECF system and will provide a copy of such filing to the following:

Via Legal Messenger

TERRELL MARSHALL LAW GROUP LLC
Toby J. Marshall, WSBA # 32726
Email: tmarshall@terrellmarshall.com
Maria Hoisington-Bingham, WSBA # 51493
Email: mhoisington@terrellmarshall.com
936 North 34th Street, Suite 300
Seattle, Washington 98103-8869
Telephone: 206-816-6603
Facsimile: 206-319-5450

REKHI & WOLK, P.S.
Hardeep S. Rekhi, WSBA #34579
Email: Hardeep@rekhiwolk.com
Gregory A. Wolk, WSBA #28946
Email: greg@rekhiwolk.com
529 Warren Avenue North, Suite 201
Seattle, WA 98109
Telephone: (206) 388-5887
Facsimile: (206) 577-3924

DATED this 2nd day of October 2017.


Daniela Najera,
Legal Secretary to N. Joseph Wonderly

Exh. B-8

FILED

17 OCT 03 PM 2:46

KING COUNTY
THE HONORABLE VERONICA A. GALVAN
SUPERIOR COURT CLERK
Department 21

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO. 17-2-23242-4 SEA

STIPULATION FOR ELECTRONIC SERVICE

Pursuant to CR 5(b)(7), the parties, by and through the undersigned counsel of record, stipulate and agree to accept service of all court filings, discovery documents (including requests, responses, and documents produced), subpoenas, and other papers in the above-captioned matter electronically as follows:

(1) Documents that are to be served on the Plaintiff through their attorneys, Terrell Marshall Law Group PLLC and Rekhi & Wolk, P.S., shall be sent to each and every recipient listed below:

- Toby J. Marshall at tmarshall@terrellmarshall.com
- Elizabeth A. Adams at eadams@terrellmarshall.com
- Maria C. Hoisington-Bingham at mhoisington@terrellmarshall.com
- Eden B. Nordby at enordby@terrellmarshall.com

- Holly Rota at hrota@terrellmarshall.com
- Hardeep S. Rekhi at hardeep@rekhiwolk.com
- Gregory A. Wolk at greg@rekhiwolk.com
- Zoe Kahn at zoe@rekhiwolk.com

(2) Documents that are to be served on the Defendant through their attorneys, Davis Wright Tremaine LLP and Sherman & Howard L.L.C, shall be sent to each and every recipient listed below:

- Jonathon Watson at jwatson@shermanhoward.com
- James S. Korte at jkorte@shermanhoward.com
- Katherine M. Edinger at kedinge@shermanhoward.com
- Lynn Z. Howell at lhowell@shermanhoward.com
- Michael J. Killeen at mikekilleen@dwt.com
- Joe Wonderly at joewonderly@dwt.com
- Cindy Lein at cindylein@dwt.com
- Lindsey Strickland at lindseystrickland@dwt.com

(3) The documents to be electronically served may be served as attachments to the email or by including a link within the email to download the documents from a cloud storage provider. If attached to an email, the documents attached to any one email shall not exceed 15 MB. To avoid over-sized attachments, attachments may be broken into two or more PDF files (if the parties have agreed to the specific production in PDF form) and multiple emails can be used. The correct format for the partial files should identify the order of the parts numerically or alphabetically.

(4) The email must be sent and received between 8:00 a.m. PT and midnight PT.; service made on a Saturday, Sunday, holiday, or after midnight PT on any other day shall be deemed complete on 8:00 a.m. PT on the first judicial day thereafter.

(5) The parties only agree to receive electronic service via email as set forth herein and do not agree to receive service via facsimile.

(6) This stipulation applies only to the above-referenced action and constitutes each party's consent to be served electronically as indicated. Any party may revoke this consent, so long as written notice is provided three court days in advance of such revocation. Otherwise, this consent will remain in effect until the conclusion of this litigation.

RESPECTFULLY SUBMITTED AND DATED this 3rd day of October, 2017.

TERRELL MARSHALL LAW GROUP PLLC

Davis Wright Tremaine LLP

By: /s/ Toby J. Marshall, WSBA #32726
Toby J. Marshall, WSBA #32726
Email: tmarshall@terrellmarshall.com
Maria Hoisington-Bingham, WSBA #51493
Email: mhoisington@terrellmarshall.com
936 North 34th Street, Suite 300
Seattle, WA 98103-8869
Telephone: (206) 816-6603
Facsimile: (206) 319-5450

By: /s/ Michael J. Killeen, WSBA #32726
Michael J. Killeen, WSBA #7837
Email: mikedkilleen@dwt.com
N. Joe Wonderly, WSBA #51925
Email: joewonderly@dwt.com
1201 Third Ave, Suite 2200
Seattle, WA 98101
Telephone: (206) 622-3150
Facsimile: (206) 757-7700

REKHI & WOLK, P.S.
Hardeep S. Rekhi, WSBA #34579
Email: hardeep@rekhiwolk.com
Gregory A. Wolk, WSBA #28946
Email: greg@rekhiwolk.com
529 Warren Avenue North, Suite 201
Seattle, Washington 98109
Telephone: (206) 388-5887
Facsimile: (206) 577-3924

Sherman & Howard LLC
Jonathon Watson
Email: jwatson@shermanhoward.com
633 Seventeenth Street, Suite 3000
Denver, CO 80202
Telephone: (303) 299-8286
Facsimile: (303) 298-0940

Attorneys for Plaintiff

Attorneys for Defendant

FILED

17 OCT 03 PM 2:46

THE HONORABLE VERONICA A. GALVAN

KING COUNTY

Department 21
SUPERIOR COURT CLERK

E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO. 17-2-23242-4 SEA

DECLARATION OF SERVICE

I, Toby J. Marshall, declare and say as follows:

1. I am a citizen of the United States and resident of the State of Washington,
over the age of 18 years, not a party to the above-entitled action, and am competent to be a
witness herein. My business address is 936 North 34th Street, Suite 300, Seattle, Washington,
98103; telephone (206) 816-6603.

2. On October 3, 2017, I caused true and correct copies of the following
documents to be delivered to Defendant in the above-captioned matter, by the means
indicated below:

- **Stipulation for Electronic Service; and**
- **[This] Declaration of Service.**

1 Michael J. Killeen, WSBA #7837
Email: mikekilleen@dwt.com
2 N. Joe Wonderly, WSBA #51925
Email: joewonderly@dwt.com
3 Email: cindylein@dwt.com
Email: lindseystrickland@dwt.com
4 DAVIS WRIGHT TREMAINE LLP
5 1201 Third Ave, Suite 2200
Seattle, Washington 98101
6 Telephone: (206) 622-3150
7 Facsimile: (206) 757-7700

8 Jonathon Watson
Email: jwatson@shermanhoward.com
9 Email: jkorte@shermanhoward.com
10 Email: kedinger@shermanhoward.com
Email: lhowell@shermanshoward.com
11 SHERMAN & HOWARD LLC
12 633 Seventeenth Street, Suite 3000
Denver, CO 80202
13 Telephone: (303) 299-8286
14 Facsimile: (303) 298-0940

15 *Attorneys for Defendant*

16 I declare under penalty of perjury under the laws of the State of Washington and the
17 United States that the foregoing is true and correct.

18 DATED this 3rd day of October, 2017.

19 By: /s/ Toby J. Marshall, WSBA #32726
20 Toby J. Marshall, WSBA #32726
21
22
23
24
25
26
27

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivered via Messenger Service
- ☐ Overnight Courier
- ☐ Facsimile
- ☒ Electronic Mail
- ☒ Via the King County Electronic Filing Notification System

Exh. B-9

FILED

17 OCT 03 PM 2:46

THE HONORABLE VERONICA A. GALVAN

KING COUNTY

Department 21
SUPERIOR COURT CLERK

E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO. 17-2-23242-4 SEA

DECLARATION OF SERVICE

I, Toby J. Marshall, declare and say as follows:

1. I am a citizen of the United States and resident of the State of Washington, over the age of 18 years, not a party to the above-entitled action, and am competent to be a witness herein. My business address is 936 North 34th Street, Suite 300, Seattle, Washington, 98103; telephone (206) 816-6603.

2. On October 3, 2017, I caused true and correct copies of the following documents to be delivered to Defendant in the above-captioned matter, by the means indicated below:

- **Stipulation for Electronic Service; and**
- **[This] Declaration of Service.**

1 Michael J. Killeen, WSBA #7837
2 Email: mikekilleen@dwt.com
3 N. Joe Wonderly, WSBA #51925
4 Email: joewonderly@dwt.com
5 Email: cindylein@dwt.com
6 Email: lindseystrickland@dwt.com
7 DAVIS WRIGHT TREMAINE LLP
1201 Third Ave, Suite 2200
Seattle, Washington 98101
Telephone: (206) 622-3150
Facsimile: (206) 757-7700

8 Jonathon Watson
9 Email: jwatson@shermanhoward.com
10 Email: jkorte@shermanhoward.com
11 Email: kedinger@shermanhoward.com
12 Email: lhowell@shermanhoward.com
13 SHERMAN & HOWARD LLC
14 633 Seventeenth Street, Suite 3000
15 Denver, CO 80202
16 Telephone: (303) 299-8286
17 Facsimile: (303) 298-0940

18 *Attorneys for Defendant*

19 I declare under penalty of perjury under the laws of the State of Washington and the
20 United States that the foregoing is true and correct.

21 DATED this 3rd day of October, 2017.

22 By: /s/ Toby J. Marshall, WSBA #32726
23 Toby J. Marshall, WSBA #32726
24
25
26
27

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivered via Messenger Service
- ☐ Overnight Courier
- ☐ Facsimile
- ☒ Electronic Mail
- ☒ Via the King County Electronic Filing Notification System

Exh. B-10

FILED

17 OCT 05 PM 3:18

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

No. 17-2-23242-4 SEA

NOTICE OF FILING NOTICE OF
REMOVAL

TO: The Court and all counsel of record:

PLEASE TAKE NOTICE that on October 5, 2017, Defendant JBS Carriers, Inc. filed a
Notice of Removal in the United States District Court for the Western District of Washington.

A true and correct copy of the Notice is attached as **Exhibit A**.

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1 DATED this 5th day of October, 2017.
2 Davis Wright Tremaine LLP

3 By: /s/ Michael J. Killeen

4 Michael J. Killeen, WSBA # 7837
5 N. Joseph Wonderly, WSBA # 51925
6 1201 Third Avenue, Suite 2200
7 Seattle, WA 98101-3045
8 Telephone: 206-622-3150
9 Fax: 206-757-7700
10 E-mail: MikeKilleen@dwt.com
11 E-mail: JoeWonderly@dwt.com
12
13

14 Sherman & Howard LLC

15 By: /s/ Jonathon Watson

16 Jonathon Watson (*Pro Hac Vice* pending)
17 633 Seventeenth Street, Suite 3000
18 Denver, Colorado 80202
19 Telephone: 303-299-8286
20 Fax: 303-298-0940
21 E-mail: JWatson@shermanhoward.com
22
23
24
25
26
27

Attorneys for Defendant JBS Carriers, Inc.

DECLARATION OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On this date I caused to be served in the manner noted below a copy of the document entitled *NOTICE OF FILING NOTICE OF REMOVAL* on the following:

TERRELL MARSHALL LAW GROUP LLC Toby J. Marshall, WSBA # 32726 Email: tmarshall@terrellmarshall.com Maria Hoisington-Bingham, WSBA # 51493 Email: mhoisington@terrellmarshall.com 936 North 34 th Street, Suite 300 Seattle, Washington 98103-8869 Telephone: 206-816-6603 Facsimile: 206-319-5450	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Serve Application <input checked="" type="checkbox"/> Email
REKHI & WOLK, P.S. Hardeep S. Rekhi, WSBA #34579 Email: Hardeep@rekhiwolk.com Gregory A. Wolk, WSBA #28946 Email: greg@rekhiwolk.com 529 Warren Avenue North, Suite 201 Seattle, WA 98109 Telephone: (206) 388-5887 Facsimile: (206) 577-3924	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Serve Application <input checked="" type="checkbox"/> Email

DATED this 5th day of October, 2017.

/s/ Daniela Najera

Daniela Najera, Legal Secretary

Exhibit A-1

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

No.

DEFENDANT JBS CARRIERS,
INC.'S NOTICE OF REMOVAL
OF CIVIL ACTION

PLEASE TAKE NOTICE that Defendant JBS CARRIERS, INC. ("JBS") hereby removes this action from the Superior Court of the State of Washington in and for the County of King (the "Superior Court") to this Court based on diversity of citizenship jurisdiction pursuant to 28 U.S.C. § 1332 and supplemental jurisdiction under 28 U.S.C. § 1367. In support of its removal, JBS alleges as follows:

1. On September 5, 2017, plaintiff Kurt Skau commenced a civil action in King County Superior Court against JBS, King County Sup. Ct. No. 17-2-23242-4 SEA (the "Action"). Pursuant to Local Civil Rule 101(b), a copy of the operative complaint (the "Complaint" or "Cmplt.") is separately attached to this Notice as **Exhibit A**. Copies of all process, pleadings, and orders served on JBS, except the Complaint, are attached to this Notice

1 as **Exhibit B**. See 28 U.S.C. § 1446(a). The allegations of the Complaint are incorporated by
2 reference without admitting the truth of any of them.

3 2. As alleged in the Complaint, Plaintiff was employed by JBS from November 9,
4 2015 to May 5, 2017, which is approximately 77 weeks. Cmplt. ¶ 3.1. Plaintiff alleges five
5 causes of action against JBS: (1) failure to provide Plaintiff paid rest periods as required under
6 Washington law, RCW 49.12.020; (2) failure to pay Plaintiff the Washington Minimum Wage
7 purportedly required by RCW 49.46.090; (3) failure to pay Plaintiff for overtime hours at one-
8 and-a-half times the regular rate as required by RCW 49.46.130; (4) failure to pay Plaintiff for
9 unpaid wages on termination in violation of RCW 49.48.010; and (5) willfully depriving
10 Plaintiff of wages in violation of RCW 49.52.050. Cmplt. ¶¶ 6.1-10.5. Plaintiff seeks double
11 damages under RCW 49.52.050 and 49.52.070 on his claims. Cmplt. ¶ 10.5. Plaintiff also seeks
12 attorneys' fees under state law. Cmplt. ¶¶ 9.4 and 10.5; *see also* Prayer for Relief. Plaintiff is
13 represented by Toby J. Marshall and Maria Hoisington-Bingham of Terrell Marshall Law
14 Group PLLC, and Hardeep S. Rehki and Gregory A. Wolk of Rekhi & Wolk, P.S.

15 3. On September 6, 2017, Plaintiff effected service of process on JBS by personal
16 service on JBS' agent for service of process, Corporation Service Company.

17 4. JBS is the only defendant and has been properly joined and served, and
18 therefore, no other defendant must join this removal. See 28 U.S.C. § 1446(b)(2)(A).

19 5. This Notice is effected properly and timely pursuant to 28 U.S.C. § 1446(b)(1)
20 because it is filed within 30 days after JBS was served with the Complaint in the Action.

21 6. Notice of this removal will be given properly to Plaintiff and the Superior Court
22 pursuant to 28 U.S.C. § 1446(d).

23 7. JBS removes the claims of Plaintiff Skau in this Action pursuant to diversity
24 jurisdiction under 28 U.S.C. § 1332(a), and JBS removes the claims of the remaining putative
25 Plaintiffs pursuant to supplemental jurisdiction under 28 U.S.C. § 1367.
26
27

1 **Diversity of Citizenship Jurisdiction Regarding Plaintiff Skau**

2 8. Diversity of citizenship jurisdiction is met as to Plaintiff Skau's claims because
3 (a) the named Plaintiff is completely diverse from the named Defendant; and (b) upon
4 information and belief, the amount in controversy for Plaintiff Skau's claims exceeds \$75,000.

5 **Complete Diversity**

6 9. ***Plaintiff.*** JBS is informed and believes that the named Plaintiff is now, and was
7 at the time the Action was commenced, a citizen of the State of Washington within the meaning
8 of 28 U.S.C. § 1332(d)(2). *See* Cmplt. ¶ 3.1 (alleging Plaintiff resides in the State of
9 Washington).

10 10. ***Defendant JBS.***

11 a. JBS is now, and was at the time the action was commenced, a citizen of
12 a state other than Washington within the meaning of 28 U.S.C. § 1332(c)(1). That section
13 provides that a corporation shall be deemed to be a citizen of every State by which it has been
14 incorporated and of the State where it has its principal place of business. 28 U.S.C. §
15 1332(c)(1). A corporation's principal place of business "refers to the place where the
16 corporation's high level officers direct, control, and coordinate the corporation's activities."
17 *Hertz Corp. v. Friend*, 559 U.S. 77, 80 (2010).

18 b. JBS is now, and was at the time the action was commenced, incorporated
19 in the State of Delaware. Moreover, JBS' principal place of business is now, and was at the
20 time this action was commenced, in the State of Colorado. *See* Complaint ¶ 3.2. Specifically,
21 JBS' headquarters is located at Greeley, Colorado. *Id.* Accordingly, JBS is a citizen of the
22 states of Delaware and Colorado.

23 11. Therefore, Plaintiff is diverse from Defendant, and complete diversity is met.

24 **The Amount in Controversy Exceeds \$75,000 on Plaintiff Skau's Claims**

25 12. Without making an admission of liability or damages with respect to any aspect
26 of this case, and without taking a position as to the proper legal test(s) applicable to Plaintiff's
27 allegations, Defendant represents that it has a good faith belief that the amount placed in

1 controversy by Plaintiff's claims exceed the jurisdictional minimum under Section 1332(a).
2 Defendant is not obliged to "research, state, and prove the plaintiff's claims for damages."
3 *McCraw v. Lyons*, 863 F. Supp. 430, 434 (W.D. Ky. 1994). But Defendant can establish the
4 amount in controversy by the allegations in the Complaint, or by setting forth facts in the notice
5 of removal that demonstrate that the amount in controversy "more likely than not" exceeds the
6 jurisdictional minimum. *Sanchez v. Monumental Life Ins. Co.*, 102 F.3d 398, 404 (9th Cir.
7 1996). The District Court may consider whether it is facially apparent from the Complaint that
8 the jurisdictional amount is in controversy. *Singer v. State Farm Mut. Auto Ins. Co.*, 116 F.3d
9 373, 377 (9th Cir. 1997); *Conrad Assoc. v. Hartford Accident & Indent. Co.*, 994 F. Supp.
10 1196, 1198 (N.D. Cal. 1998). In addition to the contents of the removal petition, the Court
11 considers "summary-judgment-type evidence relevant to the amount in controversy at the time
12 of removal," such as affidavits or declarations. *Valdez v. Allstate Ins. Co.*, 372 F.3d 1115, 1117
13 (9th Cir. 2004); *Singer v. State Farm Mut. Auto Ins. Co.*, 116 F.3d 373, 377 (9th Cir. 1997).

14 13. "[T]he amount in controversy is simply an estimate of the total amount in
15 dispute, not a prospective assessment of defendant's liability." *Lewis v. Verizon Comm., Inc.*,
16 627 F.3d 395, 400 (9th Cir. 2010). In measuring the amount in controversy, a court must
17 assume that the allegations of the Complaint are true and that a jury will return a verdict for
18 Plaintiff on all claims made in the Complaint. *Kenneth Rothschild Trust v. Morgan Stanley*
19 *Dean Witter*, 199 F. Supp. 2d 993, 1001 (C.D. Cal. 2002). The ultimate inquiry is what amount
20 is put "in controversy" by Plaintiff's complaint, not what Defendant will actually owe. *Rippee*
21 *v. Boston Market Corp.*, 408 F. Supp. 2d 982, 986 (S.D. Cal. 2005); *see also Scherer v.*
22 *Equitable Life Assurance Society of the United States*, 347 F.3d 394, 399 (2d Cir. 2003)
23 (recognizing that the ultimate or provable amount of damages is not what is considered when
24 determining the amount in controversy; rather, it is the amount put in controversy by the
25 plaintiff's complaint).

26 14. Defendant provides the below calculations only to demonstrate that the amount
27 in controversy in this case easily exceeds the minimum amount in controversy for diversity

jurisdiction. As noted above, Defendant makes no admission of any liability or damages with respect to any aspect of this case, and takes no position as to the proper legal test(s) to be applied to Plaintiff's claims. Nor does Defendant waive its right to ultimately contest the proper amount of damages due, if any, should Plaintiff prevail with respect to any of his claims.

15. Here, Plaintiff seeks unpaid wages, double damages for the unpaid wages, and attorneys' fees. Cmpl. ¶¶ 6.1 to 10.5; Prayer for Relief. The amounts placed in controversy by those claims "exceeds the sum or value of \$75,000." See 28 U.S.C. § 1332(a).

16. **Unpaid Wages:** Based on the allegations in the Complaint and using JBS' payroll data for Plaintiff Skau, JBS calculates the allegedly unpaid wages at issue by Plaintiff's claims is \$26,824.33.

a. **Unpaid Overtime Wages:** Plaintiff alleges JBS failed to compensate him when he worked over 40 hours per week as required by RCW 49.46.130. See Cmpl. ¶¶ 7.1 to 7.5; 8.4. JBS estimates, based on Plaintiff's available Hours of Service Logs ("HOS Logs"), that Plaintiff worked an average of 49 hours per week. See Taylor Decl. ¶ 10, attached hereto as **Exhibit C**. Based on Plaintiff's gross pay over the same period divided by the average number of hours Plaintiff worked over that period, JBS estimates that Plaintiff's average hourly wage was approximately \$25.81 per hour. See Taylor Decl. ¶ 8, attached hereto as **Exhibit C**. Thus, Plaintiff's overtime wage is approximately \$38.72 per hour (1.5 times \$25.81).

b. Assuming for purposes of removal that Plaintiff worked an average of 9 hours of overtime every week during his approximately 77 weeks of employment at JBS, Plaintiff would have worked a total of 693 overtime hours for which he was paid his regular hourly rate of \$25.81, approximately \$12.91 less than his overtime rate (\$38.72 minus \$25.81). Accordingly, Plaintiff has put \$8,946.63 of alleged overtime compensation at issue (693 hours x \$12.91 per hour = \$8,946.63).

c. **Rest Periods:** Plaintiff also alleges that JBS failed to pay him and the putative class for ten-minute rest breaks every four hours worked. Cmpl. ¶¶ 5.7 to 5.9; 6.1 to 6.8. Plaintiff does not allege how many rest breaks JBS failed to pay. Assuming, for purposes

1 of removal, Plaintiff averaged 49 hours of work per week, Plaintiff would be entitled to 12
2 breaks per week (49 hours worked divided by 4 hours), and 924 breaks during the entirety of
3 his employment (12 breaks per week x 77 weeks). Also, assuming Plaintiff worked 49 hours
4 per week, the missed rest breaks, based on his allegations, would represent additional time
5 worked and would be compensable at his overtime rate of \$38.72 per hour. Based on that rate,
6 Plaintiff could recover \$6.50 per ten-minute rest break (\$38.72 per hour divided by 6 equals
7 approximately \$6.45 per ten minute period). Thus, assuming Plaintiff was not paid for any rest
8 breaks while employed by JBS, Plaintiff has put \$5,959.80 of alleged unpaid rest period time at
9 issue (924 allegedly missed breaks x \$6.45 per break).

10 d. **Off-the-Clock Work:** Plaintiff claims JBS required him to perform off-
11 the-clock work without compensation. Cmplt. ¶ 5.4. The Complaint does not allege how many
12 hours per week the plaintiff worked off the clock. Assuming, based on Plaintiff's available
13 HOS Logs, and only for purposes of removal, Plaintiff worked off the clock for approximately
14 three hours per week from November 9, 2015 to May 5, 2017, Plaintiff worked approximately
15 231 hours off the clock. See Taylor Decl. ¶ 9, attached hereto as *Exhibit C*. Thus, applying
16 Plaintiff's overtime¹ hourly rate of \$38.72, Plaintiff has put \$8,944.32 of alleged off-the-clock
17 work time at issue (\$38.72 per hour x 231 alleged hours worked).

18 e. **Minimum Wage for Training and Orientation Work:** Plaintiff claims
19 JBS did not pay minimum wage for time worked during driver orientation or driver training.
20 Cmplt. ¶¶ 5.3, 7.1 to 7.5. With regard to orientation, Plaintiff claims he was not paid minimum
21 wage for mandatory orientation. Cmplt. ¶ 5.3. Orientation typically ranges from 24 to 32
22 hours, depending on the driver. See McQuade Decl. ¶ 6, attached hereto as *Exhibit D*. In 2015
23 – when Plaintiff began working for JBS – Washington's minimum wage was \$9.47 per hour.
24 Assuming Plaintiff did not receive minimum wage for the period in which he attended
25

26
27 ¹ Assuming, again, that Plaintiff worked 49 hours per week and was entitled to overtime, the additional off-the-
clock work hours, as alleged, would qualify as overtime.

1 orientation, Plaintiff has put as much as \$303.04 of alleged unpaid orientation time at issue (32
2 hours x \$9.47 per hour).

3 f. With regard to driver training, Plaintiff alleges he did not receive at least
4 minimum wage for 15,000 miles of driver training. Cmplt. ¶ 5.3. Based on Plaintiff's available
5 HOS Log, JBS estimates for purposes of removal only that Plaintiff traveled approximately 53
6 miles per hour while working for JBS (10,410 miles driven divided by 195.53 hours). *See*
7 Taylor Decl. ¶ 11, attached hereto as **Exhibit C**. Assuming Plaintiff maintained that average
8 during his training, Plaintiff spent approximately 282 hours completing his 15,000 miles of
9 driver training (15,000 miles divided by 53 miles per hour). Thus, applying Washington's
10 2015 minimum wage, Plaintiff has put approximately \$2,670.54 of alleged unpaid training
11 time at issue (\$9.47 per hour x 282 training hours).

12 g. **Total Amount at Issue for Alleged Unpaid Wages.** Based on the above
13 calculations, JBS reasonably estimates that Plaintiff has placed \$26,824.33 in unpaid wages at
14 issue in this matter.

15 17. **Double Damages.** Plaintiff also seeks double damages under RCW 49.52.050,
16 which allows an employee to recover an additional amount equal to the unpaid wages for
17 willful violations. Cmplt. ¶¶ 10.1 to 10.5 & Prayer for Relief. Here, Plaintiff alleges that JBS'
18 failure to pay the alleged rest periods, minimum wages, overtime wages, and final wages was
19 willful and triggers the double-damages provision. *Id.* ¶¶ 10.1 to 10.5. Plaintiff therefore seeks
20 an amount equal to the back wages allegedly owed—*i.e.*, an additional \$26,824.33—as double
21 damages. Adding that amount to the alleged unpaid wages portions brings the amount in
22 controversy to \$53,648.66.

23 18. **Attorneys' Fees.**

24 a. The Ninth Circuit has held that "where an underlying statute authorizes
25 an award of attorney' fees, either with mandatory or discretionary language, such fees may be
26 included in the amount in controversy." *Galt G/S v. JSS Scandinavia*, 142 F.3d 1150, 1156
27 (9th Cir. 1998). Courts have interpreted *Galt* to allow a removing defendant to add to the

1 amount in controversy a reasonable estimate of plaintiff's attorneys' fees likely to be incurred
2 through the resolution of the case. *See, e.g., Brady v. Mercedes-Benz USA, Inc.*, 243 F. Supp.
3 2d 1004, 1010-11 (N.D. Cal. 2002) ("[A] reasonable estimate of fees likely to be incurred to
4 resolution is part of the benefit permissibly sought by the plaintiff and thus contributes to the
5 amount in controversy."); *Simmons v. PCR Tech.*, 209 F. Supp. 2d 1029, 1034-35 (N.D. Cal.
6 2002) (Under *Galt*, "the measure of [attorneys'] fees should be the amount that can reasonably
7 be anticipated at the time of removal, not merely those already incurred."). A court may look
8 to "the amount of fees commonly incurred in similar litigation" to determine the reasonable
9 fees likely to be incurred. *Brady*, 243 F. Supp. 2d at 1011.

10 b. The statutes that underlie Plaintiff's wage-and-hour claims allow a
11 successful plaintiff to recover his or her attorneys' fees, and plaintiff seeks those fees in the
12 Complaint. Cmplt., Prayer for Relief, § E (seeking attorneys' fees); RCW 49.52.070 (allowing
13 employee to recover attorneys' fees in connection with willfully withheld wages). Therefore,
14 the amount in controversy here includes a reasonable estimate of Plaintiff's attorney fees.

15 c. Plaintiff's attorneys' estimated fees would likely alone satisfy the
16 amount in controversy requirement for diversity jurisdiction. For example, in two prior cases
17 settled by Plaintiff's counsel, the Terrell Marshall Law Group, in the Western District of
18 Washington, Mr. Marshall billed over \$79,000 and \$86,000, respectively, *before* a Notice of
19 Removal was even filed. *See* Plaintiff's Attorney's Time Entries in *Helde v. Knight Transp.,*
20 *Inc.*, No. C12-0904RSL, 2016 U.S. Dist. LEXIS 56162 (W.D. Wash. Apr. 26, 2016) (Time
21 sheet attached hereto as **Exhibit E**); *Wilbur, et al. v. City of Mount Vernon, et al.*, C11-1100
22 RSL (W.D. Wash.) (April 2014) (Time sheet attached hereto as **Exhibit F**). In fact, in *Wilbur*,
23 all of plaintiffs' attorneys recorded a total of \$136,000 in fees *before* the defendant filed a
24 notice of removal (the \$136,000 total includes Mr. Marshall's fees of \$86,213 referenced
25 above.) *See* Time Sheet Attached Hereto as **Exhibit F**. Assuming Mr. Marshall and the three
26 additional Plaintiffs' attorneys have recorded similar hours here, attorney's fees alone would
27

1 satisfy the amount in controversy requirements. Of course, Plaintiff's attorneys' fees will only
2 increase as this matter is further litigated.

3 19. **Conclusion.** The calculations above demonstrate the amount in controversy far
4 exceeds the \$75,000 requirement.

5 **Supplemental Jurisdiction**

6 20. Because one Plaintiff's claims are properly before the Court under traditional
7 diversity jurisdiction, the Court has supplemental jurisdiction over the remaining putative
8 Plaintiffs' claims pursuant to 28 U.S.C. § 1367. *See Exxon Mobil Corp. v. Allapattah Servs.,*
9 *Inc.*, 545 U.S. 546, 559 (2005).

10 **Venue and Intradistrict Assignment**

11 21. Venue of this Action exists in this District pursuant to 28 U.S.C. § 1441(a)
12 because the Superior Court is located within the District. Moreover, the case is properly
13 venued in the Seattle Division of this District because a substantial portion of the alleged events
14 or omissions that give rise to Plaintiff's claims occurred in King County. *See* L.C.R. 3(d);
15 Cmpl. ¶ 2.2.

16 **Conclusion**

17 22. Plaintiff's Complaint is properly before this Court under diversity of citizenship
18 jurisdiction and supplemental jurisdiction.

1 DATED this 5th day of October, 2017.

2 Davis Wright Tremaine LLP

3 By: /s/ Michael J. Killeen

4 Michael J. Killeen, WSBA # 7837

5 N. Joseph Wonderly, WSBA # 51925

6 1201 Third Avenue, Suite 2200

7 Seattle, WA 98101-3045

8 Telephone: 206-622-3150

9 Fax: 206-757-7700

10 E-mail: MikeKilleen@dwt.com

11 E-mail: JoeWonderly@dwt.com

12 Sherman & Howard LLC

13 By: /s/ Jonathon Watson

14 Jonathon Watson (*Pro Hac Vice* application
15 forthcoming)

16 633 Seventeenth Street, Suite 3000

17 Denver, Colorado 80202

18 Telephone: 303-299-8286

19 Fax: 303-298-0940

20 E-mail: JWatson@shermanhoward.com

21 Attorneys for Defendant JBS Carriers, Inc.

CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington that on October 5, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and served a copy of such filing to the following in the manner noted below:

TERRELL MARSHALL LAW GROUP LLC Toby J. Marshall, WSBA # 32726 Email: tmarshall@terrellmarshall.com Maria Hoisington-Bingham, WSBA # 51493 Email: mhoisington@terrellmarshall.com 936 North 34 th Street, Suite 300 Seattle, Washington 98103-8869 Telephone: 206-816-6603 Facsimile: 206-319-5450	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Serve Application <input checked="" type="checkbox"/> Email
REKHI & WOLK, P.S. Hardeep S. Rekhi, WSBA #34579 Email: Hardeep@rekhiwolk.com Gregory A. Wolk, WSBA #28946 Email: greg@rekhiwolk.com 529 Warren Avenue North, Suite 201 Seattle, WA 98109 Telephone: (206) 388-5887 Facsimile: (206) 577-3924	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Serve Application <input checked="" type="checkbox"/> Email

DATED this 5th day of October 2017.

/s/ Daniela Najera
Daniela Najera, Legal Secretary

Exhibit A

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO.

CLASS ACTION COMPLAINT FOR
DAMAGES

Plaintiff Kurt Skau brings this action on his own behalf and on behalf of all others
similarly situated and alleges as follows:

I. INTRODUCTION

1.1 Nature of Action. Plaintiff Kurt Skau brings this class action against JBS Carriers, Inc. ("Defendant"). Defendant is a truckload transportation company that delivers goods throughout the United States, including the state of Washington. Plaintiff alleges Defendant has engaged in a common course of failing to compensate its Washington-based driver employees for the paid rest breaks to which they are entitled, failing to compensate driver employees for all hours of work, and failing to pay overtime wages.

II. JURISDICTION AND VENUE

2.1 Jurisdiction. Defendant is within the jurisdiction of this Court. Defendant conducts business in Washington. Defendant hires drivers that reside in Washington and have

commercial driver's licenses issued by the state of Washington. Thus, Defendant has obtained the benefits of the laws of Washington as well as Washington's commercial and labor markets.

2.2 Venue. Venue is proper in King County because Defendant operates and transacts business in King County, and Plaintiff performed work for Defendant in King County.

2.3 Governing Law. The claims asserted on behalf of Plaintiff and Class members in this complaint are brought solely under state law causes of action and are governed exclusively by Washington law.

III. PARTIES

3.1 Plaintiff Kurt Skau. Plaintiff worked for Defendant from approximately November 9, 2015 to May 5, 2017. Plaintiff worked as part of Defendant's Western Regional fleet and regularly transported goods within the western part of the United States, including the state of Washington. Plaintiff has a commercial driver's license issued by the state of Washington. During the duration of his employment, Plaintiff was a resident of Port Orchard, Washington. Plaintiff performed work for Defendant in King County, Washington.

3.2 Defendant JBS Carriers, Inc. Defendant is a Delaware corporation that is headquartered in Greeley, Colorado and does business in Washington. Defendant is an interstate and regional truckload transportation company that primarily transports meat and poultry products. Defendant maintains a fleet of over 600 trucks and 800 employees. Defendant's Western Regional fleet operates in the western part of the United States, including the state of Washington. Defendant recruits individuals who reside in Washington to work for the Western Regional fleet. Defendant has employed Plaintiff and hundreds of other Washington-based drivers and has exercised control over how and when those employees were paid.

IV. CLASS ACTION ALLEGATIONS

4.1 Class Definition. Under Civil Rule 23(a) and (b)(3), Plaintiff brings this case as a class action against Defendant on behalf of the class defined as follows (the “Class”):

All current and former employees of JBS Carriers, Inc. who worked as drivers for the company while residing in the state of Washington at any time between September 5, 2014 and the date of final disposition of this action.

Excluded from the Class are any entity in which Defendant has a controlling interest or that has a controlling interest in Defendant, and Defendant’s legal representatives, assignees, and successors. Also excluded are the judge to whom this case is assigned and any member of the judge’s immediate family.

4.2 Numerosity. Plaintiff believes that more than one hundred persons have worked as driver employees for Defendant while based in Washington during the proposed class period. The Class members are so numerous that joinder of all members is impracticable. Moreover, the disposition of the claims of the Class in a single action will provide substantial benefits to all parties and the Court.

4.3 Commonality. There are numerous questions of law and fact common to Plaintiff and Class members. These questions include, but are not limited to, the following:

- a. Whether Defendant has engaged in a common course of failing to pay Class members at no less than minimum wage for all hours spent in mandatory orientation and driver training;
- b. Whether Defendant has engaged in a common course of failing to pay Class members at no less than minimum wage for all non-driving work performed;
- c. Whether Defendant has engaged in a common course of failing to pay Class members overtime compensation for hours worked beyond 40 in a week;

- d. Whether Defendant has engaged in a common course of failing to separately pay Class members for rest breaks, whether received or not;
- e. Whether Defendant has engaged in a common course of failing to keep true and accurate time records for all hours worked by Class members;
- f. Whether Defendant's failure to pay all wages owed to Class members was willful;
- g. Whether Defendant has violated RCW 49.12.020;
- h. Whether Defendant has violated WAC 296-126-092;
- i. Whether Defendant has violated RCW 49.46.090;
- j. Whether Defendant has violated RCW 49.46.130;
- k. Whether Defendant has violated WAC 296-128-012;
- l. Whether Defendant has violated RCW 49.46.040;
- m. Whether Defendant has violated WAC 296-128-010;
- n. Whether Defendant has violated WAC 296-128-011;
- o. Whether Defendant has violated WAC 296-128-020;
- p. Whether Defendant has violated WAC 296-126-040;
- q. Whether Defendant has violated WAC 296-126-050;
- r. Whether Defendant has violated RCW 49.48.010;
- s. Whether Defendant has violated RCW 49.52.050; and
- t. The nature and extent of Class-wide injury and the measure of compensation for such injury.

4.4 Typicality. Plaintiff's claims are typical of the claims of the Class. Plaintiff has performed work for Defendant as a driver employee while residing in the state of Washington and is thus a member of the Class. Plaintiff's claims, like the claims of the Class, arise out of the same common course of conduct by Defendant and are based on the same legal and remedial theories.

1 4.5 Adequacy. Plaintiff will fairly and adequately protect the interests of the Class.
2 Plaintiff has retained competent and capable attorneys who have significant experience in
3 complex and class action litigation, including employment law. Plaintiff and his counsel are
4 committed to prosecuting this action vigorously on behalf of the Class and have the financial
5 resources to do so. Neither Plaintiff nor his counsel have interests that are contrary to or that
6 conflict with those of the Class.

7 4.6 Predominance. Defendant has engaged in a common course of wage and hour
8 abuse toward Plaintiff and members of the Class. The common issues arising from this
9 conduct that affect Plaintiff and members of the Class predominate over any individual issues.
10 Adjudication of these common issues in a single action has important and desirable
11 advantages of judicial economy.

12 4.7 Superiority. Plaintiff and Class members have suffered and will continue to
13 suffer harm and damages as a result of Defendant's unlawful and wrongful conduct. Absent a
14 class action, however, most Class members likely would find the cost of litigating their claims
15 prohibitive. Class treatment is superior to multiple individual suits or piecemeal litigation
16 because it conserves judicial resources, promotes consistency and efficiency of adjudication,
17 provides a forum for small claimants, and deters illegal activities. There will be no significant
18 difficulty in the management of this case as a class action. The Class members are readily
19 identifiable from Defendant's records.

20 **V. SUMMARY OF FACTUAL ALLEGATIONS**

21 5.1 Common Course of Conduct: Failure to Pay for All Hours of Work. Defendant
22 has engaged in a common course of failing to pay Plaintiff and Class members for each hour
23 worked.

24 5.2 Defendant pays its drivers a piece rate for driving work—specifically, a certain
25 amount for each mile driven. Defendant also pays drivers a piece rate for certain other
26 activities.
27

1 5.3 Defendant has engaged in a common course of failing to pay Plaintiff and Class
2 members at least minimum wage for all hours of work performed during mandatory
3 orientation and driver training. Defendant requires new drivers to attend a mandatory
4 orientation at Defendant's headquarters in Greeley, Colorado. Defendant pays drivers a set
5 weekly rate for this orientation. Defendant also requires new drivers to complete at least
6 15,000 miles of driver training. Defendant pays drivers a set weekly rate for hours spent
7 training.

8 5.4 Defendant has engaged in a common course of failing to pay Plaintiff and Class
9 members at least minimum wage for all hours spent performing many work activities,
10 including but not limited to pickups, deliveries, waiting and detention time, fueling, scaling,
11 loading, washing and cleaning trailers and tractors, unloading, pre-trip and post-trip
12 inspections, communicating with dispatch, completing paperwork, completing online training
13 courses, assisting new driver orientation, transporting drivers to and from Defendant's
14 facilities, and moving trailers at Defendant's facilities.

15 5.5 Defendant has engaged in a common course of encouraging Plaintiff and Class
16 members to perform non-driving work activities while off the clock and in "off-duty" or
17 "sleeper berth" status.

18 5.6 Defendant has had actual or constructive knowledge of the facts set forth in
19 Paragraphs 5.1 through 5.5.

20 5.7 Common Course of Conduct: Failure to Provide Paid Rest Breaks. Defendant
21 has engaged in a common course of failing to provide Plaintiff and Class members with a paid
22 ten-minute rest break for every four hours of work.

23 5.8 Defendant has engaged in a common course of failing to separately pay Class
24 members for rest breaks, whether received or not, at their average hourly rate.

25 5.9 Defendant has had actual or constructive knowledge of the facts set forth in
26 Paragraphs 5.7 through 5.8.

5.12 Defendant has had actual or constructive knowledge of the facts set forth in Paragraphs 5.10 through 5.11.

5.14 Defendant has engaged in a common course of failing to provide proper payroll documents to Plaintiff and Class members.

5.15 Defendant has had actual or constructive knowledge of the facts set forth in Paragraphs 5.13 through 5.14.

6.1 Plaintiff realleges and incorporates by reference each and every allegation set forth in the preceding paragraphs.

6.2 RCW 49.12.010 provides that “[t]he welfare of the state of Washington demands that all employees be protected from conditions of labor which have a pernicious effect on their health. The state of Washington, therefore, exercising herein its police and sovereign power declares that inadequate wages and unsanitary conditions of labor exert such pernicious effect.”

1 6.3 RCW 49.12.020 provides that “[i]t shall be unlawful to employ any person in
2 any industry or occupation within the state of Washington under conditions of labor
3 detrimental to their health.”

4 6.4 Under RCW 49.12.005 and WAC 296-126-002, “conditions of labor” “means
5 and includes the conditions of rest . . . periods” for employees.

6 6.5 WAC 296-126-092 provides that employees shall be allowed certain paid rest
7 periods during their shifts.

8 6.6 Under Washington law, Defendant has an obligation to separately pay
9 employees for each rest break to which they are entitled, regardless of whether the
10 employees receive those rest breaks.

11 6.7 By the actions alleged above, Defendant has violated the provisions of RCW
12 49.12.020 and WAC 296-126-092.

13 6.8 As a result of the unlawful acts of Defendant, Plaintiff and members of the
14 Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff
15 and members of the Class are entitled to the recovery of such damages, including interest
16 thereon, attorneys’ fees under RCW 49.48.030, and costs.

17 **VII. SECOND CLAIM FOR RELIEF**
18 **(Violation of RCW 49.46.090 — Payment of Wages Less than Entitled)**

19 7.1 Plaintiff realleges and incorporates by reference each and every allegation set
20 forth in the preceding paragraphs.

21 7.2 RCW 49.46.020 provides that every employer shall pay its employees not less
22 than the minimum hourly wage in effect at the time the work is performed.

23 7.3 RCW 49.46.090 provides that “[a]ny employer who pays any employee less
24 than wages to which such employee is entitled under or by virtue of [the Minimum Wage Act],
25 shall be liable to such employee affected for the full amount of such wage rate, less any
26 amount actually paid to such employee by the employer, and for costs and such reasonable
27 attorney's fees as may be allowed by the court.”

1 7.4 By the actions alleged above, Defendant has violated the provisions of RCW
2 49.46.090.

3 7.5 As a result of the unlawful acts of Defendant, Plaintiff and members of the
4 Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff
5 and members of the Class are entitled to the recovery of such damages, including interest
6 thereon, as well as attorneys' fees and costs under RCW 49.46.090.

7 **VIII. THIRD CLAIM FOR RELIEF**
8 **(Violations of RCW 49.46.130 – Failure to Pay Overtime Wages)**

9 8.1 Plaintiff realleges and incorporate by reference each and every allegation set
10 forth in the preceding paragraphs.

11 8.2 RCW 49.46.130 provides that “no employer shall employ any of his employees
12 for a workweek longer than 40 hours unless such employee receives compensation for his
13 employment in excess of the hours above specified at a rate not less than one and one-half
14 times the regular rate at which he is employed.”

15 8.3 RCW 49.46.130 (f) excludes an individual employed as a truck or bus driver who
16 is subject to the provisions of the Federal Motor Carrier Act (49 U.S.C. Sec. 3101 et seq. and 49
17 U.S.C. Sec. 10101 et seq.), if the compensation system under which the truck or bus driver is
18 paid includes overtime pay, reasonably equivalent to that required by this subsection, for
19 working longer than forty hours per week. Upon information and belief, Defendant did not
20 employ a “reasonably equivalent” method to pay overtime to Plaintiff and Class members.

21 8.4 WAC 296-128-012 provides a method for compensating truck drivers for
22 overtime pay. Defendant did not compensate Plaintiff and Class members for overtime hours
23 worked.

24 8.5 By the actions alleged above, Defendant has violated the provisions of RCW
25 49.46.130.

26 8.6 As a result of the unlawful acts of Defendant, Plaintiff and members of the
27 Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff

1 and members of the Class are entitled to recovery of such damages, including interest
2 thereon, as well as attorneys' fees and costs under RCW 49.46.090.

3 **IX. FOURTH CLAIM FOR RELIEF**
4 **(Violation of RCW 49.48.010 — Unpaid Wages on Termination)**

5 9.1 Plaintiff realleges and incorporates by reference each and every allegation set
6 forth in the preceding paragraphs.

7 9.2 RCW 49.48.010 provides that "[w]hen any employee shall cease to work for an
8 employer, whether by discharge or by voluntary withdrawal, the wages due him or her on
9 account of his or her employment shall be paid to him or her at the end of the established pay
10 period." The statute further provides that "[i]t shall be unlawful for any employer to withhold
11 or divert any portion of an employee's wages"

12 9.3 By the actions alleged above, Defendant has violated the provisions of RCW
13 49.48.010 by failing to pay wages to Plaintiff and Class members for rest breaks, by failing to
14 pay wages to Plaintiff and Class members for all hours of work, and by failing to pay overtime
15 wages to Plaintiff and Class members.

16 9.4 As a result of the unlawful acts of Defendant, Plaintiff and members of the
17 Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff
18 and members of the Class are entitled to the recovery of such damages, including interest
19 thereon, attorneys' fees under RCW 49.48.030, and costs.

20 **X. FIFTH CLAIM FOR RELIEF**
21 **(Violation of RCW 49.52.050 — Willful Deprivation of Wages)**

22 10.1 Plaintiff realleges and incorporates by reference each and every allegation set
23 forth in the preceding paragraphs.

24 10.2 RCW 49.52.050(2) provides that "[a]ny employer or officer, vice principal or
25 agent of any employer . . . who . . . [w]ilfully and with intent to deprive the employee of any
26 part of his or her wages, shall pay any employee a lower wage than the wage such employer is
27

1 obligated to pay such employee by any statute, ordinance, or contract” shall be guilty of a
2 misdemeanor.

3 10.3 Defendant’s violations of RCW 49.12.020, WAC 296-126-092, RCW 49.46.090,
4 RCW 49.46.130, and RCW 49.48.010 as discussed above, were willful and constitute violations
5 of RCW 49.52.050.

6 10.4 RCW 49.52.070 provides that any employer who violates the provisions of RCW
7 49.52.050 shall be liable in a civil action for twice the amount of wages withheld, attorneys’
8 fees, and costs.

9 10.5 As a result of the willful, unlawful acts of Defendant, Plaintiff and members of
10 the Class have been deprived of compensation in amounts to be determined at trial and
11 Plaintiff and members of the Class are entitled to recovery of twice such damages, including
12 interest thereon, as well as attorneys’ fees and costs under RCW 49.52.070.

13 **XI. PRAYER FOR RELIEF**

14 WHEREFORE, Plaintiff, on his own and on behalf of the members of the Class, prays for
15 judgment against Defendant as follows:

- 16 A. Certify the proposed Class;
17 B. Appoint Plaintiff as representative of the Class;
18 C. Appoint the undersigned attorneys as counsel for the Class;
19 D. Award compensatory and exemplary damages to Plaintiff and Class members
20 for violation of Washington’s wage and hour laws, in amounts to be proven at
21 trial;
22 E. Award attorneys’ fees and costs to Plaintiff and Class members, as allowed by
23 law;
24 F. Award prejudgment and post-judgment interest to Plaintiff and Class members,
25 as provided by law;
26
27

- 1 G. Permit Plaintiff and members of the Class leave to amend the complaint to
2 conform to the evidence presented at trial; and
3 H. Grant such other and further relief as the Court deems necessary, just, and
4 proper.

5 RESPECTFULLY SUBMITTED AND DATED this 5th day of September, 2017.

6 TERRELL MARSHALL LAW GROUP PLLC
7

8 By: /s/ Toby J. Marshall, WSBA #32726

9 Toby J. Marshall, WSBA #32726

10 Email: tmarshall@terrellmarshall.com

Maria Hoisington-Bingham, WSBA #51493

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Facsimile: (206) 319-5450

14 REKHI & WOLK, P.S.

15 Hardeep S. Rekhi, WSBA #34579

Email: hardeep@rekhiwolk.com

16 Gregory A. Wolk, WSBA #28946

17 Email: greg@rekhiwolk.com

529 Warren Avenue North, Suite 201

18 Seattle, Washington 98109

19 Telephone: (206) 388-5887

Facsimile: (206) 577-3924

20 *Attorneys for Plaintiff*
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22
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Exhibit B-1

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 17-2-23242-4 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

Kurt Skau

Plaintiff(s),

vs.

JBS Carries, Inc.

Respondent(s)

NO. 17-2-23242-4 SEA

ORDER SETTING CIVIL CASE SCHEDULE

ASSIGNED JUDGE: Galvan, Veronica Alicea, Dept. 21

FILED DATE: 9/5/2017

TRIAL DATE: 9/4/2018

SCOMIS CODE: *ORSCS

A civil case has been filed in the King County Superior Court and will be managed by the Case Schedule on Page 3 as ordered by the King County Superior Court Presiding Judge.

I. NOTICES

NOTICE TO PLAINTIFF: The Plaintiff may serve a copy of this **Order Setting Case Schedule (Schedule)** on the Defendant(s) along with the **Summons and Complaint/Petition**. Otherwise, the Plaintiff shall serve the **Schedule** on the Defendant(s) within 10 days after the later of: (1) the filing of the **Summons and Complaint/Petition** or (2) service of the Defendant's first response to the **Complaint/Petition**, whether that response is a **Notice of Appearance**, a response, or a Civil Rule 12 (CR 12) motion. The **Schedule** may be served by regular mail, with proof of mailing to be filed promptly in the form required by Civil Rule 5 (CR 5).

"I understand that I am required to give a copy of these documents to all parties in this case."

PRINT NAME

SIGN NAME

I. NOTICES (continued)

NOTICE TO ALL PARTIES:

All attorneys and parties should make themselves familiar with the King County Local Rules [KCLCR] -- especially those referred to in this *Schedule*. In order to comply with the *Schedule*, it will be necessary for attorneys and parties to pursue their cases vigorously from the day the case is filed. For example, discovery must be undertaken promptly in order to comply with the deadlines for joining additional parties, claims, and defenses, for disclosing possible witnesses [See KCLCR 26], and for meeting the discovery cutoff date [See KCLCR 37(g)].

CROSSCLAIMS, COUNTERCLAIMS AND THIRD PARTY COMPLAINTS:

A filing fee of \$240 must be paid when any answer that includes additional claims is filed in an existing case.

KCLCR 4.2(a)(2)

A Confirmation of Joinder, Claims and Defenses or a Statement of Arbitrability must be filed by the deadline in the schedule. The court will review the confirmation of joinder document to determine if a hearing is required. If a Show Cause order is issued, all parties cited in the order must appear before their Chief Civil Judge.

PENDING DUE DATES CANCELED BY FILING PAPERS THAT RESOLVE THE CASE:

When a final decree, judgment, or order of dismissal of all parties and claims is filed with the Superior Court Clerk's Office, and a courtesy copy delivered to the assigned judge, all pending due dates in this *Schedule* are automatically canceled, including the scheduled Trial Date. It is the responsibility of the parties to 1) file such dispositive documents within 45 days of the resolution of the case, and 2) strike any pending motions by notifying the bailiff to the assigned judge.

Parties may also authorize the Superior Court to strike all pending due dates and the Trial Date by filing a *Notice of Settlement* pursuant to KCLCR 41, and forwarding a courtesy copy to the assigned judge. If a final decree, judgment or order of dismissal of all parties and claims is not filed by 45 days after a *Notice of Settlement*, the case may be dismissed with notice.

If you miss your scheduled Trial Date, the Superior Court Clerk is authorized by KCLCR 41(b)(2)(A) to present an *Order of Dismissal*, without notice, for failure to appear at the scheduled Trial Date.

NOTICES OF APPEARANCE OR WITHDRAWAL AND ADDRESS CHANGES:

All parties to this action must keep the court informed of their addresses. When a Notice of Appearance/Withdrawal or Notice of Change of Address is filed with the Superior Court Clerk's Office, parties must provide the assigned judge with a courtesy copy.

ARBITRATION FILING AND TRIAL DE NOVO POST ARBITRATION FEE:

A Statement of Arbitrability must be filed by the deadline on the schedule **if the case is subject to mandatory arbitration** and service of the original complaint and all answers to claims, counterclaims and cross-claims have been filed. If mandatory arbitration is required after the deadline, parties must obtain an order from the assigned judge transferring the case to arbitration. **Any party filing a Statement must pay a \$220 arbitration fee.** If a party seeks a trial de novo when an arbitration award is appealed, a fee of \$250 and the request for trial de novo must be filed with the Clerk's Office Cashiers.

NOTICE OF NON-COMPLIANCE FEES:

All parties will be assessed a fee authorized by King County Code 4A.630.020 whenever the Superior Court Clerk must send notice of non-compliance of schedule requirements and/or Local Civil Rule 41.

King County Local Rules are available for viewing at www.kingcounty.gov/courts/clerk.

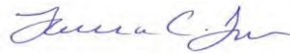
II. CASE SCHEDULE

√	CASE EVENTS	DATE
	Case Filed and Schedule Issued.	9/5/2017
√	Last Day for Filing Statement of Arbitrability without a Showing of Good Cause for Late Filing [See KCLMAR2.1(a) and Notices on page 2]. \$220 Arbitration fee must be paid	2/13/2018
√	DEADLINE to file Confirmation of Joinder if not subject to Arbitration [See KCLCR 4.2(a) and Notices on page 2]	2/13/2018
	DEADLINE for Hearing Motions to Change Case Assignment Area [KCLCR 82(e)]	2/27/2018
	DEADLINE for Disclosure of Possible Primary Witnesses [See KCLCR 26(k)]	4/3/2018
	DEADLINE for Disclosure of Possible Additional Witnesses [KCLCR 26(k)]	5/15/2018
	DEADLINE for Jury Demand [See KCLCR 38(b)(2)]	5/29/2018
	DEADLINE for Change in Trial Date [See KCLCR 40(e)(2)]	5/29/2018
	DEADLINE for Discovery Cutoff [See KCLCR 37(g)]	7/17/2018
	DEADLINE for Engaging in Alternative Dispute Resolution [See KCLCR16(b)]	8/7/2018
	DEADLINE for Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLCR 4(j)]	8/14/2018
√	DEADLINE to file Joint Confirmation of Trial Readiness [See KCLCR 16(a)(1)]	8/14/2018
	DEADLINE for Hearing Dispositive Pretrial Motions [See KCLCR 56;CR56]	8/21/2018
√	Joint Statement of Evidence [See KCLCR 4(k)]	8/28/2018
	DEADLINE for filing Trial Briefs, Proposed Findings of Fact and Conclusions of Law and Jury Instructions (Do not file proposed Findings of Fact and Conclusion of Law with the Clerk)	8/28/2018
	Trial Date [See KCLCR 40]	9/4/2018

The √ indicates a document that must be filed with the Superior Court Clerk's Office by the date shown.

III. ORDER

Pursuant to King County Local Rule 4 [KCLCR 4], IT IS ORDERED that the parties shall comply with the schedule listed above. Penalties, including but not limited to sanctions set forth in Local Rule 4(g) and Rule 37 of the Superior Court Civil Rules, may be imposed for non-compliance. It is FURTHER ORDERED that the party filing this action **must** serve this *Order Setting Civil Case Schedule* and attachment on all other parties.



DATED: 9/5/2017

PRESIDING JUDGE

IV. ORDER ON CIVIL PROCEEDINGS FOR ASSIGNMENT TO JUDGE

READ THIS ORDER BEFORE CONTACTING YOUR ASSIGNED JUDGE.

This case is assigned to the Superior Court Judge whose name appears in the caption of this case schedule. The assigned Superior Court Judge will preside over and manage this case for all pretrial matters.

COMPLEX LITIGATION: If you anticipate an unusually complex or lengthy trial, please notify the assigned court as soon as possible.

APPLICABLE RULES: Except as specifically modified below, all the provisions of King County Local Civil Rules 4 through 26 shall apply to the processing of civil cases before Superior Court Judges. The local civil rules can be found at www.kingcounty.gov/courts/clerk/rules/Civil.

CASE SCHEDULE AND REQUIREMENTS: Deadlines are set by the case schedule, issued pursuant to Local Civil Rule 4.

THE PARTIES ARE RESPONSIBLE FOR KNOWING AND COMPLYING WITH ALL DEADLINES IMPOSED BY THE COURT'S LOCAL CIVIL RULES.

A. Joint Confirmation regarding Trial Readiness Report

No later than twenty one (21) days before the trial date, parties shall complete and file (with a copy to the assigned judge) a joint confirmation report setting forth whether a jury demand has been filed, the expected duration of the trial, whether a settlement conference has been held, and special problems and needs (e.g., interpreters, equipment).

The Joint Confirmation Regarding Trial Readiness form is available at www.kingcounty.gov/courts/scforms. If parties wish to request a CR 16 conference, they must contact the assigned court. Plaintiff's/petitioner's counsel is responsible for contacting the other parties regarding the report.

B. Settlement/Mediation/ADR

a. Forty five (45) days before the trial date, counsel for plaintiff/petitioner shall submit a written settlement demand. Ten (10) days after receiving plaintiff's/petitioner's written demand, counsel for defendant/respondent shall respond (with a counter offer, if appropriate).

b. Twenty eight (28) days before the trial date, a Settlement/Mediation/ADR conference shall have been held. FAILURE TO COMPLY WITH THIS SETTLEMENT CONFERENCE REQUIREMENT MAY RESULT IN SANCTIONS.

C. Trial

Trial is scheduled for 9:00 a.m. on the date on the case schedule or as soon thereafter as convened by the court. The Friday before trial, the parties should access the court's civil standby calendar on the King County Superior Court website www.kingcounty.gov/courts/superiorcourt to confirm the trial judge assignment.

MOTIONS PROCEDURES

A. Noting of Motions

Dispositive Motions: All summary judgment or other dispositive motions will be heard with oral argument before the assigned judge. The moving party must arrange with the hearing judge a date and time for the hearing, consistent with the court rules. Local Civil Rule 7 and Local Civil Rule 56 govern procedures for summary judgment or other motions that dispose of the case in whole or in part. The local civil rules can be found at www.kingcounty.gov/courts/clerk/rules/Civil.

Non-dispositive Motions: These motions, which include discovery motions, will be ruled on by the assigned judge without oral argument, unless otherwise ordered. All such motions must be noted for a date by which the ruling is requested; this date must likewise conform to the applicable notice requirements. Rather than noting a time of day, the

Note for Motion should state “Without Oral Argument.” Local Civil Rule 7 governs these motions, which include discovery motions. The local civil rules can be found at www.kingcounty.gov/courts/clerk/rules/Civil.

Motions in Family Law Cases not involving children: Discovery motions to compel, motions in limine, motions relating to trial dates and motions to vacate judgments/dismissals shall be brought before the assigned judge. All other motions should be noted and heard on the Family Law Motions calendar. Local Civil Rule 7 and King County Family Law Local Rules govern these procedures. The local rules can be found at www.kingcounty.gov/courts/clerk/rules.

Emergency Motions: Under the court’s local civil rules, emergency motions will usually be allowed only upon entry of an Order Shortening Time. However, some emergency motions may be brought in the Ex Parte and Probate Department as expressly authorized by local rule. In addition, discovery disputes may be addressed by telephone call and without written motion, if the judge approves in advance.

B. Original Documents/Working Copies/ Filing of Documents: All original documents must be filed with the Clerk’s Office. Please see information on the Clerk’s Office website at www.kingcounty.gov/courts/clerk regarding the requirement outlined in LGR 30 that attorneys must e-file documents in King County Superior Court. The exceptions to the e-filing requirement are also available on the Clerk’s Office website. The local rules can be found at www.kingcounty.gov/courts/clerk/rules.

The working copies of all documents in support or opposition must be marked on the upper right corner of the first page with the date of consideration or hearing and the name of the assigned judge. The assigned judge’s working copies must be delivered to his/her courtroom or the Judges’ mailroom. Working copies of motions to be heard on the Family Law Motions Calendar should be filed with the Family Law Motions Coordinator. Working copies can be submitted through the Clerk’s office E-Filing application at www.kingcounty.gov/courts/clerk/documents/eWC.

Service of documents: Pursuant to Local General Rule 30(b)(4)(B), e-filed documents shall be electronically served through the e-Service feature within the Clerk’s eFiling application. Pre-registration to accept e-service is required. E-Service generates a record of service document that can be e-filed. Please see the Clerk’s office website at www.kingcounty.gov/courts/clerk/documents/efiling regarding E-Service.

Original Proposed Order: Each of the parties must include an original proposed order granting requested relief with the working copy materials submitted on any motion. **Do not file the original of the proposed order with the Clerk of the Court.** Should any party desire a copy of the order as signed and filed by the judge, a pre-addressed, stamped envelope shall accompany the proposed order. The court may distribute orders electronically. Review the judge’s website for information: www.kingcounty.gov/courts/SuperiorCourt/judges.

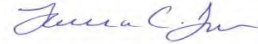
Presentation of Orders for Signature: All orders must be presented to the assigned judge or to the Ex Parte and Probate Department, in accordance with Local Civil Rules 40 and 40.1. Such orders, if presented to the Ex Parte and Probate Department, shall be submitted through the E-Filing/Ex Parte via the Clerk application by the attorney(s) of record. E-filing is not required for self-represented parties (non-attorneys). If the assigned judge is absent, contact the assigned court for further instructions. If another judge enters an order on the case, counsel is responsible for providing the assigned judge with a copy.

Proposed orders finalizing settlement and/or dismissal by agreement of all parties shall be presented to the Ex Parte and Probate Department. Such orders shall be submitted through the E-Filing/Ex Parte via the Clerk application by the attorney(s) of record. E-filing is not required for self-represented parties (non-attorneys). Formal proof in Family Law cases must be scheduled before the assigned judge by contacting the bailiff, or formal proof may be entered in the Ex Parte Department. **If final order and/or formal proof are entered in the Ex Parte and Probate Department, counsel is responsible for providing the assigned judge with a copy.**

C. Form

Pursuant to Local Civil Rule 7(b)(5)(B), the initial motion and opposing memorandum shall not exceed 4,200 words and reply memoranda shall not exceed 1,750 words without authorization of the court. The word count includes all portions of the document, including headings and footnotes, except 1) the caption; 2) table of contents and/or authorities, if any; and 3) the signature block. Over-length memoranda/briefs and motions supported by such memoranda/briefs may be stricken.

IT IS SO ORDERED. FAILURE TO COMPLY WITH THE PROVISIONS OF THIS ORDER MAY RESULT IN DISMISSAL OR OTHER SANCTIONS. PLAINTIFF/PEITITONER SHALL FORWARD A COPY OF THIS ORDER AS SOON AS PRACTICABLE TO ANY PARTY WHO HAS NOT RECEIVED THIS ORDER.



PRESIDING JUDGE

Exhibit B-2

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT OF WASHINGTON
COUNTY OF KING

Kurt Skau

VS

JBS Carries, Inc.

NO. 17-2-23242-4 SEA

CASE INFORMATION COVER SHEET
AND AREA DESIGNATION

CAUSE OF ACTION

(MSC) - OTHER COMPLAINT/PETITION (MSC 2)

AREA DESIGNATION

SEATTLE - Defined as all King County north of Interstate 90 and including all of Interstate 90 right of way, all of the cities of Seattle, Mercer Island, Issaquah, and North Bend, and all of Vashon and Maury Islands.

Exhibit B-3

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO.

SUMMONS (20 DAY)

TO: JBS CARRIERS, INC.:

A lawsuit has been started against you in the above-entitled court by the Plaintiff. The Plaintiff's claims are stated in the written complaint, a copy of which is served upon you with this summons.

In order to defend against this lawsuit, you must respond to the complaint by stating your defense in writing, and by serving a copy upon the person signing this summons within 20 days after the service of this summons, excluding the day of service, or a default judgment may be entered against you without notice. A default judgment is one where the Plaintiff is entitled to what has been asked for because you have not responded. If you serve a notice of appearance on the undersigned person, you are entitled to notice before a default judgment may be entered.

You may demand that Plaintiff file this lawsuit with the Court. If you do so, the demand must be in writing and must be served upon the Plaintiff. Within fourteen (14) days

1 after you serve the demand, the Plaintiff must file this lawsuit with the Court, or the service
2 on you of this Summons and Complaint will be void.

3 If you wish to seek the advice of an attorney in this matter, you should do so promptly
4 so that your written response, if any, may be served on time.

5 THIS SUMMONS is issued pursuant to Rule 4 of the Superior Court Civil Rules of the
6 State of Washington.

7 RESPECTFULLY SUBMITTED AND DATED this 5th day of September, 2017.

8 TERRELL MARSHALL LAW GROUP PLLC
9

10 By: /s/ Toby J. Marshall, WSBA #32726

11 Toby J. Marshall, WSBA #32726

12 Email: tmarshall@terrellmarshall.com

13 Maria Hoisington-Bingham, WSBA #51493

14 Email: mhoisington@terrellmarshall.com

15 936 North 34th Street, Suite 300

16 Seattle, Washington 98103-8869

17 Telephone: (206) 816-6603

18 Facsimile: (206) 319-5450

19 REKHI & WOLK, P.S.

20 Hardeep S. Rekhi, WSBA #34579

21 Email: hardeep@rekhiwolk.com

22 Gregory A. Wolk, WSBA #28946

23 Email: greg@rekhiwolk.com

24 529 Warren Avenue North, Suite 201

25 Seattle, Washington 98109

26 Telephone: (206) 388-5887

27 Facsimile: (206) 577-3924

Attorneys for Plaintiff

Exhibit B-4

FILED
17 SEP 13 PM 2:36
KING COUNTY
SUPERIOR COURT CLERK
SEATTLE, WA

IN THE SUPERIOR COURT, IN AND FOR THE COUNTY OF KING, STATE OF WASHINGTON

**KURT SKAU, ON BEHALF OF HIMSELF AND ON
BEHALF OF OTHERS SIMILARLY SITUATED**

Plaintiff/Petitioner

vs.

JBS CARRIERS, INC., A DELAWARE CORPORATION

Defendant/Respondent

Cause No.: **17-2-23242-4 SEA**

Hearing Date:

AFFIDAVIT OF SERVICE OF

**SUMMONS; CLASS ACTION COMPLAINT FOR DAMAGES;
CASE ASSIGNMENT AREA DESIGNATION AND CASE
INFORMATION COVER SHEET; ORDER SETTING CIVIL
CASE SCHEDULE; CASE INFORMATION COVER SHEET
AND AREA DESIGNATION; PLAINTIFF'S FIRST SET OF
INTERROGATORIES AND REQUESTS FOR PRODUCTION
OF DOCUMENTS PROPOUNDED TO DEFENDANT**

The undersigned hereby declares: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

On the **6th day of September, 2017** at **1:23 PM** at the address of **1560 BROADWAY SUITE 2090, DENVER, Denver County, CO 80202**; this declarant served the above described documents upon **JBS CARRIERS, INC., A DELAWARE CORPORATION c/o CORPORATION SERVICE COMPANY, REGISTERED AGENT** by then and there personally delivering 1 true and correct copy(ies) thereof, by then presenting to and leaving the same with **Kurt Plender, CLERK, PERSON AUTHORIZED TO ACCEPT**, who accepted service, with identity confirmed by physical description, a gray-haired white male approx. 45-55 years of age, 5'6"-5'8" tall and weighing 160-180 lbs..

No information was provided or discovered that indicates that the subjects served are members of the United States military.

ORIGINAL PROOF OF SERVICE

PAGE 1 OF 2

Tracking #: 0018977946



For: Terrell Marshall & Daudt, PLLC
Ref #: 2092-001



PLAINTIFF/PETITIONER: KURT SKAU, ON BEHALF OF HIMSELF AND ON BEHALF OF OTHERS SIMILARLY SITUATED	CASE NUMBER: 17-2-23242-4 SEA
DEFENDANT/RESPONDENT: JBS CARRIERS, INC., A DELAWARE CORPORATION	

Service Fee Total: \$ 167.50

DATED this 8th day of September, 2017

Megan Grimes

Megan Grimes

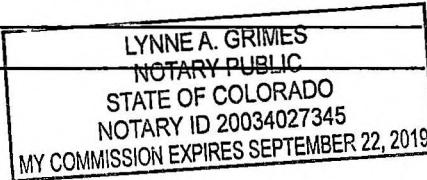
Subscribed and Sworn to before me this 8 day of Sept, 2017.

Lynne A. Grimes

NOTARY PUBLIC in and for the State of Colorado

Residing at: _____

My commission expires _____



ORIGINAL PROOF OF SERVICE

PAGE 2 OF 2

Tracking #: 0018977946



For: Terrell Marshall & Daudt, PLLC

Ref #: 2092-001



Exhibit B-5

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 17-2-23242-4 SEA

KING COUNTY SUPERIOR COURT
CASE ASSIGNMENT AREA DESIGNATION and CASE INFORMATION COVER SHEET
(CICS)

Pursuant to King County Code 4A.630.060, a faulty document fee of \$15 may be assessed to new case filings missing this sheet.

CASE NUMBER: _____
(Provided by the Clerk)

CASE CAPTION: Kurt Skau v. JBS Carriers, Inc.
(New case: Print name of person starting case **vs.** name of person or agency you are filing against.)
(When filing into an existing family law case, the case caption remains the same as the original filing.)

Please mark one of the boxes below:

☒ **Seattle Area**, defined as:

All of King County north of Interstate 90 and including all of the Interstate 90 right-of-way; all the cities of Seattle, Mercer Island, Bellevue, Issaquah and North Bend; and all of Vashon and Maury Islands.

☐ **Kent Area**, defined as:

All of King County south of Interstate 90 except those areas included in the Seattle Case Assignment Area.

I certify that this case meets the case assignment criteria, described in King County LCR 82(e).

<u>/s/ Toby J. Marshall, WSBA #32726</u>	<u>09/05/2017</u>
Signature of Attorney	Date

or

_____ Signature of person who is starting case	_____ Date
---	---------------

936 North 34th Street, Suite 300, Seattle, Washington 98103
Address, City, State, Zip Code of person who is starting case if not represented by attorney

KING COUNTY SUPERIOR COURT
CASE ASSIGNMENT AREA DESIGNATION and CASE INFORMATION COVER SHEET

CIVIL

Please check the category that best describes this case.

APPEAL/REVIEW

- ☐ Administrative Law Review (ALR 2)*
(Petition to the Superior Court for review of rulings made by state administrative agencies.(e.g. DSHS Child Support, Good to Go passes, denial of benefits from Employment Security, DSHS, L & I))
- ☐ DOL Revocation (DOL 2)*
(Appeal of a DOL revocation Implied consent-Test refusal ONLY.) RCW 46.20.308(9)

CONTRACT/COMMERCIAL

- ☐ Breach of Contract (COM 2)*
(Complaint involving money dispute where a breach of contract is involved.)
- ☐ Commercial Contract (COM 2)*
(Complaint involving money dispute where a contract is involved.)
- ☐ Commercial Non-Contract (COL 2)*
(Complaint involving money dispute where no contract is involved.)
- ☐ Third Party Collection (COL 2)*
(Complaint involving a third party over a money dispute where no contract is involved.)

JUDGMENT

- ☐ Abstract, Judgment, Another County (ABJ 2)
(A certified copy of a judgment docket from another Superior Court within the state.)
- ☐ Confession of Judgment (MSC 2)*
(The entry of a judgment when a defendant admits liability and accepts the amount of agreed-upon damages but does not pay or perform as agreed upon.)
- ☐ Foreign Judgment (from another State or Country) (FJU 2)
(Any judgment, decree, or order of a court of the United States, or of any state or territory, which is entitled to full faith and credit in this state.)
- ☐ Tax Warrant or Warrant (TAX 2)
(A notice of assessment by a state agency or self-insured company creating a judgment/lien in the county in which it is filed.)
- ☐ Transcript of Judgment (TRJ 2)
(A certified copy of a judgment from a court of limited jurisdiction (e.g. District or Municipal court) to a Superior Court.)

PROPERTY RIGHTS

- ☐ Condemnation/Eminent Domain (CON 2)*
(Complaint involving governmental taking of private property with payment, but not necessarily with consent.)
- ☐ Foreclosure (FOR 2)*
(Complaint involving termination of ownership rights when a mortgage or tax foreclosure is involved, where ownership is not in question.)
- ☐ Land Use Petition (LUP 2)*
(Petition for an expedited judicial review of a land use decision made by a local jurisdiction.) RCW 36.70C.040
- ☐ Property Fairness (PFA 2)*
(Complaint involving the regulation of private property or restraint of land use by a government entity brought forth by Title 64.)
- ☐ Quiet Title (QTI 2)*
(Complaint involving the ownership, use, or disposition of land or real estate other than foreclosure.)
- ☐ Residential Unlawful Detainer (Eviction) (UND 2)
(Complaint involving the unjustifiable retention of lands or attachments to land, including water and mineral rights.)
- ☐ Non-Residential Unlawful Detainer (Eviction) (UND 2)
(Commercial property eviction.)

OTHER COMPLAINT/PETITION

- ☐ Action to Compel/Confirm Private Binding Arbitration (MSC 2)
(Petition to force or confirm private binding arbitration.)
- ☐ Bond Justification (MSC 2)
(Bail bond company desiring to transact surety bail bonds in King County facilities.)
- ☐ Change of Name (CHN 5)
(Petition for name change, when domestic violence/antiharassment issues require confidentiality.)
- ☐ Certificate of Rehabilitation (MSC 2)
(Petition to restore civil and political rights.)
- ☐ Certificate of Restoration of Opportunity (MSC 2)
(Establishes eligibility requirements for certain professional licenses)
- ☐ Civil Commitment (sexual predator) (PCC 2)
(Petition to detain an individual involuntarily.)
- ☐ Deposit of Surplus Funds (MSC 2)
(Deposit of extra money from a foreclosure after payment of expenses from sale and obligation secured by the deed of trust.)
- ☐ Emancipation of Minor (EOM 2)
(Petition by a minor for a declaration of emancipation.)
- ☐ Foreign Subpoena (MSC 2)
(To subpoena a King County resident or entity for an out of state case.)

- | | |
|---|--|
| <p><input type="checkbox"/> Frivolous Claim of Lien (MSC 2)
(Petition or Motion requesting a determination that a lien against a mechanic or materialman is excessive or unwarranted.)</p> <p><input type="checkbox"/> Injunction (INJ 2)*
(Complaint/petition to require a person to do or refrain from doing a particular thing.)</p> <p><input type="checkbox"/> Interpleader (MSC 2)
(Petition for the deposit of disputed earnest money from real estate, insurance proceeds, and/or other transaction(s).)</p> <p><input type="checkbox"/> Malicious Harassment (MHA 2)*
(Suit involving damages resulting from malicious harassment.) RCW 9a.36.080</p> <p><input type="checkbox"/> Non-Judicial Filing (MSC 2)
(See probate section for TEDRA agreements. To file for the record document(s) unrelated to any other proceeding and where there will be no judicial review.)</p> <p><input checked="" type="checkbox"/> Other Complaint/Petition (MSC 2)*
(Filing a Complaint/Petition for a cause of action not listed.)</p> <p><input type="checkbox"/> Public records Act (PRA 2)*
(Actions filed under RCW 42.56.)</p> <p><input type="checkbox"/> Receivership (MSC 2)
(The process of appointment by a court of a receiver to take custody of the property, business, rents and profits of a party to a lawsuit pending a final decision on disbursement or an agreement.)</p> <p><input type="checkbox"/> Relief from Duty to Register (RDR2)
(Petition seeking to stop the requirement to register.)</p> | <p><input type="checkbox"/> Restoration of Firearm Rights (RFR 2)
(Petition seeking restoration of firearms rights under RCW 9.41.040 and 9.41.047.)</p> <p><input type="checkbox"/> School District-Required Action Plan (SDR 2)
(Petition filed requesting court selection of a required action plan proposal relating to school academic performance.)</p> <p><input type="checkbox"/> Seizure of Property from the Commission of a Crime-Seattle (SPC 2)*
(Seizure of personal property which was employed in aiding, abetting, or commission of a crime, from a defendant after conviction.)</p> <p><input type="checkbox"/> Seizure of Property Resulting from a Crime-Seattle (SPR 2)*
(Seizure of tangible or intangible property which is the direct or indirect result of a crime, from a defendant following criminal conviction. (e.g., remuneration for, or contract interest in, a depiction or account of a crime.))</p> <p><input type="checkbox"/> Structured Settlements- Seattle (MSC 2)
(A financial or insurance arrangement whereby a claimant agrees to resolve a personal injury tort claim by receiving periodic payments on an agreed schedule rather than as a lump sum.)</p> <p><input type="checkbox"/> Vehicle Ownership (MSC 2)*
(Petition to request a judgment awarding ownership of a vehicle.)</p> <p>TORT, ASBESTOS</p> <p><input type="checkbox"/> Personal Injury (PIN 2)*
(Complaint alleging injury resulting from asbestos exposure.)</p> <p><input type="checkbox"/> Wrongful Death (WDE 2)*
(Complaint alleging death resulting from asbestos exposure.)</p> |
|---|--|

TORT, MEDICAL MALPRACTICE

- ☐ Hospital (MED 2)*
(Complaint involving injury or death resulting from a hospital.)
- ☐ Medical Doctor (MED 2)*
(Complaint involving injury or death resulting from a medical doctor.)
- ☐ Other Health care Professional (MED 2)*
(Complaint involving injury or death resulting from a health care professional other than a medical doctor.)

TORT, MOTOR VEHICLE

- ☐ Death (TMV 2)*
(Complaint involving death resulting from an incident involving a motor vehicle.)
- ☐ Non-Death Injuries (TMV 2)*
(Complaint involving non-death injuries resulting from an incident involving a motor vehicle.)
- ☐ Property Damages Only (TMV 2)*
(Complaint involving only property damages resulting from an incident involving a motor vehicle.)
- ☐ Victims Vehicle Theft (VVT 2)*
(Complaint filed by a victim of car theft to recover damages.) RCW 9A.56.078

TORT, NON-MOTOR VEHICLE

- ☐ Implants (PIN 2)
- ☐ Other Malpractice (MAL 2)*
(Complaint involving injury resulting from other than professional medical treatment.)

- ☐ Personal Injury (PIN 2)*
(Complaint involving physical injury not resulting from professional medical treatment, and where a motor vehicle is not involved.)
- ☐ Products Liability (TTO 2)*
(Complaint involving injury resulting from a commercial product.)
- ☐ Property Damages (PRP 2)*
(Complaint involving damage to real or personal property excluding motor vehicles.)
- ☐ Property Damages-Gang (PRG 2)*
(Complaint to recover damages to property related to gang activity.)
- ☐ Tort, Other (TTO 2)*
(Any other petition not specified by other codes.)
- ☐ Wrongful Death (WDE 2)*
(Complaint involving death resulting from other than professional medical treatment.)

WRIT

- ☐ Habeas Corpus (WHC 2)
(Petition for a writ to bring a party before the court.)
- ☐ Mandamus (WRM 2)**
(Petition for writ commanding performance of a particular act or duty.)
- ☐ Review (WRV 2)**
(Petition for review of the record or decision of a case pending in the lower court; does not include lower court appeals or administrative law reviews.)

* The filing party will be given an appropriate case schedule at time of filing.

** Case schedule will be issued after hearing and findings.

Exhibit B-6

FILED

17 SEP 21 PM 2:14

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation

Defendant.

Case No. 17-2-23242-4 SEA

NOTICE OF APPEARANCE
ON BEHALF OF DEFENDANT JBS
CARRIERS, INC.

TO: CLERK OF THE COURT

AND TO: Plaintiff KURT SKAU

AND TO: TOBY J. MARSHALL, MARIA HOISINGTON-BINGHAM, HARDEEP S.
REKHI and GREGORY A. WOLK plaintiff's attorneys.

YOU AND EACH OF YOU will please take notice that Michael J. Killeen of Davis
Wright Tremaine LLP and Jonathon Watson of Sherman & Howard, who will submit an
appropriate pro hac vice motion, hereby appear as co-counsel on behalf of Defendant JBS
Carriers, Inc., in the above-entitled action, and request that all further papers and pleadings in
this matter, except original process, be served upon the undersigned attorneys at their address
below stated.

1 DATED this 21st day of September 2017.

2 Davis Wright Tremaine LLP

3 By:



4 Michael J. Killeen, WSBA # 7837

5 1201 Third Avenue, Suite 2200

6 Seattle, WA 98101-3045

7 Telephone: 206-622-3150

8 Fax: 206-757-7700

9 E-mail: MikeKilleen@dwt.com

10 Attorneys for Defendant JBS Carriers, Inc.

11 Sherman & Howard LLC

12 Jonathon Watson,

13 633 Seventeenth Street, Suite 3000

14 Denver, Colorado 80202

15 Telephone: 303-299-8286

16 Fax: 303-298-0940

17 E-mail: JWatson@shermanhoward.com

18 Co-counsel for Defendant JBS Carriers, Inc.

CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington and the United States that, on the date indicated below, I electronically filed the foregoing document with the Clerk of the Court using the ECF system and will provide a copy of such filing to the following:

Via Legal Messenger

TERRELL MARSHALL LAW GROUP LLC
Toby J. Marshall, WSBA # 32726
Email: tmarshall@terrellmarshall.com
Maria Hoisington-Bingham, WSBA # 51493
Email: mhoisington@terrellmarshall.com
936 North 34th Street, Suite 300
Seattle, Washington 98103-8869
Telephone: 206-816-6603
Facsimile: 206-319-5450

REKHI & WOLK, P.S.
Hardeep S. Rekhi, WSBA #34579
Email: Hardeep@rekhiwolk.com
Gregory A. Wolk, WSBA #28946
Email: greg@rekhiwolk.com
529 Warren Avenue North, Suite 201
Seattle, WA 98109
Telephone: (206) 388-5887
Facsimile: (206) 577-3924

DATED this 21st day of September 2017.


Lindsey Strickland
Davis Wright Tremaine LLP
1201 Third Avenue, Suite 2200
Seattle, WA 98101-3045
P: 206-622-3150
F: 206-757-7700
Email: lindseystrickland@dwt.com

Exhibit A-2

Exhibit B-7

FILED

17 OCT 02 PM 1:43

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT OF THE STATE OF WASHINGTON
KING COUNTY

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation

Defendant.

Case No. 17-2-23242-4 SEA

NOTICE OF APPEARANCE
ON BEHALF OF DEFENDANT JBS
CARRIERS, INC.

TO: CLERK OF THE COURT

AND TO: Plaintiff KURT SKAU

AND TO: TOBY J. MARSHALL, MARIA HOISINGTON-BINGHAM, HARDEEP S.
REKHI and GREGORY A. WOLK plaintiff's attorneys.

YOU AND EACH OF YOU will please take notice that N. Joseph Wonderly of Davis Wright
Tremaine LLP, hereby joins Michael J. Killeen of Davis Wright Tremaine LLP and Jonathon
Watson of Sherman & Howard and appears as co-counsel on behalf of Defendant JBS Carriers,
Inc., in the above-entitled action, and requests that all further papers and pleadings in this
matter, except original process, be served upon him at the address below stated.

1 DATED this 2nd day of October 2017.

2 Davis Wright Tremaine LLP

3 By: 

4 N. Joseph Wonderly, WSBA #51925

5 1201 Third Avenue, Suite 2200

6 Seattle, WA 98101-3045

7 Telephone: 206-757-8286

8 Fax: 206-757-7286

9 E-mail: JoeWonderly@dwt.com

10 Co-counsel for Defendant JBS Carriers, Inc.

CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington and the United States that, on the date indicated below, I electronically filed the foregoing document with the Clerk of the Court using the ECF system and will provide a copy of such filing to the following:

Via Legal Messenger

TERRELL MARSHALL LAW GROUP LLC
Toby J. Marshall, WSBA # 32726
Email: tmarshall@terrellmarshall.com
Maria Hoisington-Bingham, WSBA # 51493
Email: mhoisington@terrellmarshall.com
936 North 34th Street, Suite 300
Seattle, Washington 98103-8869
Telephone: 206-816-6603
Facsimile: 206-319-5450

REKHI & WOLK, P.S.
Hardeep S. Rekhi, WSBA #34579
Email: Hardeep@rekhiwolk.com
Gregory A. Wolk, WSBA #28946
Email: greg@rekhiwolk.com
529 Warren Avenue North, Suite 201
Seattle, WA 98109
Telephone: (206) 388-5887
Facsimile: (206) 577-3924

DATED this 2nd day of October 2017.



Daniela Najera,
Legal Secretary to N. Joseph Wonderly

Exhibit B-8

FILED

17 OCT 03 PM 2:46

KING COUNTY
THE HONORABLE VERONICA A. GALVAN
SUPERIOR COURT CLERK
Department 21

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO. 17-2-23242-4 SEA

STIPULATION FOR ELECTRONIC SERVICE

Pursuant to CR 5(b)(7), the parties, by and through the undersigned counsel of record, stipulate and agree to accept service of all court filings, discovery documents (including requests, responses, and documents produced), subpoenas, and other papers in the above-captioned matter electronically as follows:

(1) Documents that are to be served on the Plaintiff through their attorneys, Terrell Marshall Law Group PLLC and Rekhi & Wolk, P.S., shall be sent to each and every recipient listed below:

- Toby J. Marshall at tmarshall@terrellmarshall.com
- Elizabeth A. Adams at eadams@terrellmarshall.com
- Maria C. Hoisington-Bingham at mhoisington@terrellmarshall.com
- Eden B. Nordby at enordby@terrellmarshall.com

- Holly Rota at hrota@terrellmarshall.com
- Hardeep S. Rekhi at hardeep@rekhiwolk.com
- Gregory A. Wolk at greg@rekhiwolk.com
- Zoe Kahn at zoe@rekhiwolk.com

(2) Documents that are to be served on the Defendant through their attorneys, Davis Wright Tremaine LLP and Sherman & Howard L.L.C, shall be sent to each and every recipient listed below:

- Jonathon Watson at jwatson@shermanhoward.com
- James S. Korte at jkorte@shermanhoward.com
- Katherine M. Edinger at kedinger@shermanhoward.com
- Lynn Z. Howell at lhowell@shermanhoward.com
- Michael J. Killeen at mikekilleen@dwt.com
- Joe Wonderly at joewonderly@dwt.com
- Cindy Lein at cindylein@dwt.com
- Lindsey Strickland at lindseystrickland@dwt.com

(3) The documents to be electronically served may be served as attachments to the email or by including a link within the email to download the documents from a cloud storage provider. If attached to an email, the documents attached to any one email shall not exceed 15 MB. To avoid over-sized attachments, attachments may be broken into two or more PDF files (if the parties have agreed to the specific production in PDF form) and multiple emails can be used. The correct format for the partial files should identify the order of the parts numerically or alphabetically.

(4) The email must be sent and received between 8:00 a.m. PT and midnight PT.; service made on a Saturday, Sunday, holiday, or after midnight PT on any other day shall be deemed complete on 8:00 a.m. PT on the first judicial day thereafter.

(5) The parties only agree to receive electronic service via email as set forth herein and do not agree to receive service via facsimile.

(6) This stipulation applies only to the above-referenced action and constitutes each party's consent to be served electronically as indicated. Any party may revoke this consent, so long as written notice is provided three court days in advance of such revocation. Otherwise, this consent will remain in effect until the conclusion of this litigation.

RESPECTFULLY SUBMITTED AND DATED this 3rd day of October, 2017.

TERRELL MARSHALL LAW GROUP PLLC

Davis Wright Tremaine LLP

By: /s/ Toby J. Marshall, WSBA #32726

By: /s/ Michael J. Killeen, WSBA #32726

Toby J. Marshall, WSBA #32726
Email: tmarshall@terrellmarshall.com
Maria Hoisington-Bingham, WSBA #51493
Email: mhoisington@terrellmarshall.com
936 North 34th Street, Suite 300
Seattle, WA 98103-8869
Telephone: (206) 816-6603
Facsimile: (206) 319-5450

Michael J. Killeen, WSBA #7837
Email: mikekilleen@dwt.com
N. Joe Wonderly, WSBA #51925
Email: joewonderly@dwt.com
1201 Third Ave, Suite 2200
Seattle, WA 98101
Telephone: (206) 622-3150
Facsimile: (206) 757-7700

REKHI & WOLK, P.S.
Hardeep S. Rekhi, WSBA #34579
Email: hardeep@rekhiwolk.com
Gregory A. Wolk, WSBA #28946
Email: greg@rekhiwolk.com
529 Warren Avenue North, Suite 201
Seattle, Washington 98109
Telephone: (206) 388-5887
Facsimile: (206) 577-3924

Sherman & Howard LLC
Jonathon Watson
Email: jwatson@shermanhoward.com
633 Seventeenth Street, Suite 3000
Denver, CO 80202
Telephone: (303) 299-8286
Facsimile: (303) 298-0940

Attorneys for Plaintiff

Attorneys for Defendant

FILED

17 OCT 03 PM 2:46

THE HONORABLE VERONICA A. GALVAN

KING COUNTY
Department 21
SUPERIOR COURT CLERK

E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO. 17-2-23242-4 SEA

DECLARATION OF SERVICE

I, Toby J. Marshall, declare and say as follows:

1. I am a citizen of the United States and resident of the State of Washington,
over the age of 18 years, not a party to the above-entitled action, and am competent to be a
witness herein. My business address is 936 North 34th Street, Suite 300, Seattle, Washington,
98103; telephone (206) 816-6603.

2. On October 3, 2017, I caused true and correct copies of the following
documents to be delivered to Defendant in the above-captioned matter, by the means
indicated below:

- **Stipulation for Electronic Service; and**
- **[This] Declaration of Service.**

Michael J. Killeen, WSBA #7837
Email: mikekilleen@dwt.com
N. Joe Wonderly, WSBA #51925
Email: joewonderly@dwt.com
Email: cindylein@dwt.com
Email: lindseystrickland@dwt.com
DAVIS WRIGHT TREMAINE LLP
1201 Third Ave, Suite 2200
Seattle, Washington 98101
Telephone: (206) 622-3150
Facsimile: (206) 757-7700

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivered via Messenger Service
- ☐ Overnight Courier
- ☐ Facsimile
- ☒ Electronic Mail
- ☒ Via the King County Electronic Filing Notification System

Jonathon Watson
Email: jwatson@shermanhoward.com
Email: jkorte@shermanhoward.com
Email: keding@shermanhoward.com
Email: lhowell@shermanhoward.com
SHERMAN & HOWARD LLC
633 Seventeenth Street, Suite 3000
Denver, CO 80202
Telephone: (303) 299-8286
Facsimile: (303) 298-0940

Attorneys for Defendant

I declare under penalty of perjury under the laws of the State of Washington and the United States that the foregoing is true and correct.

DATED this 3rd day of October, 2017.

By: /s/ Toby J. Marshall, WSBA #32726
Toby J. Marshall, WSBA #32726

Exhibit C

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

No.

DECLARATION OF DARRIN
TAYLOR IN SUPPORT OF
DEFENDANT JBS CARRIERS,
INC.'S NOTICE OF REMOVAL

I, Darrin Taylor, declare:

1. I am the Director of Sales & Regional Operations for Defendant, JBS Carriers, Inc. ("JBS Carriers"). As Director of Sales & Regional Operations and in preparation for this declaration, I reviewed Mr. Skau's settlement sheets, paycheck stubs, and his available Hours of Service Logs ("HOS Logs"). I have personal knowledge of the facts stated herein and if called to testify thereto could do so competently.

2. This declaration sets forth information I have compiled from other corporate departments located here in Greeley, Colorado. This information is maintained in the ordinary course of business, was prepared at or near the time of events or matters described therein, and records such data accurately. I have access, either directly or indirectly, to these business and corporate records in the ordinary course of business, and I periodically refer to them.

3. JBS Carriers employs over the road truck drivers who transport product from production facilities to customers throughout the United States. Much of the product transported is animal proteins and agricultural products produced by a related entity, JBS USA Food Company ("JBS"). JBS Carriers is headquartered in Greeley, Colorado and does not have any offices or terminals in Washington. The majority of JBS Carriers' administrative functions

DECLARATION OF DARRIN TAYLOR IN SUPPORT
OF DEFENDANT JBS CARRIERS, INC.'S NOTICE OF
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1 (including that of legal, payroll, human resources, operation, and planning) are conducted in
2 Greeley, Colorado. Greeley, Colorado is where the actual center of direction, control, and
3 coordination for JBS Carriers takes place. JBS Carriers' principal place of business is in
4 Colorado.

5 4. Plaintiff Kurt Skau was a resident of Washington during his employment with
6 JBS Carriers, and I do not have any reason to believe Plaintiff is no longer a resident of
7 Washington. Plaintiff was employed by JBS Carriers from November 9, 2015 until May 5,
8 2017.

9 5. Drivers at JBS Carriers are paid on a per-trip basis, determined by factors
10 including the length of the haul, and the driver's base per-mile rate, which varies depending on
11 the level of experience and the length of the trip.

12 6. Pursuant to Department of Transportation ("DOT") regulations, JBS Carriers
13 maintains a detailed HOS Log for rolling six month periods. The HOS Log is an electronic
14 record of drivers' daily activities, as recorded into four primary categories; (1) off duty, (2)
15 sleeper birth; (3) driving; and (4) on duty, not driving. The HOS Log is a requirement of DOT
16 regulations.

17 7. Mr. Skau filed his Complaint on September 5, 2017, and given a reasonable
18 amount of time after service occurred, JBS Carriers stopped the six month period from
19 continuing to roll. Therefore, the most accurate records of Mr. Skau's hours of service date
20 from March 26, 2017 to May 1, 2017 (Mr. Skau's last day of driving).

21 8. By analyzing JBS Carriers' records, I calculate Mr. Skau earned an average
22 hourly rate of approximately \$25.81 per hour. I calculated this number based on the five weeks
23 of Mr. Skau's available HOS Log (from March 26, 2017 until May, 1 2017), excluding one
24 week in which Mr. Skau did not work. Based on this data, I divided the total gross pay for the
25 same time period (\$5,047.37) by the total number of hours that Mr. Skau worked (195.53
26

27
DECLARATION OF DARRIN TAYLOR IN SUPPORT
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1 hours). Dividing \$5,047.37 by 195.53 hours equals approximately \$25.81, which is a
2 reasonable estimate of Mr. Skau's hourly pay.

3 9. By analyzing Plaintiff's HOS Log, I calculate that Mr. Skau spent
4 approximately three hours per week working, but not driving. This number was calculated by
5 reviewing the HOS Log data from the five week period, and excluding the week Mr. Skau did
6 not work. As noted above, the HOS Log indicates how much time Plaintiff spent driving and
7 also working, but not driving. Using the HOS Log, I first totaled all of the time Mr. Skau spent
8 working, but not driving, which amounted to 13.02 hours, or 781.2 minutes. I then divided that
9 number by the days Mr. Skau worked in the period (30), which equals approximately 26.04
10 minutes per day of on duty, not driving time. Next, I multiplied the average minutes per day of
11 on duty, not driving time (26.04) by seven days to get the weekly average (182.28 minutes).
12 Based on the above calculations, I determined that Mr. Skau spent an average of three hours per
13 week working, but not driving (182.28 minutes divided by 60 minutes per hour).

14 10. Also by analyzing Mr. Skau's HOS Log, I calculate that Mr. Skau worked an
15 average of 49 hours per week. (This number combines the time Mr. Skau spent driving and the
16 time spent working, but not driving.) I calculated this number by analyzing the available HOS
17 Log data from the five week period, excluding the week Mr. Skau did not work. Using this data
18 I totaled all of the time Mr. Skau spent working (195.53 hours) and divided it by the number of
19 weeks Mr. Skau worked (4 weeks). Based on the above calculations, I determined that Mr.
20 Skau spent an average of 49 hours per week working.

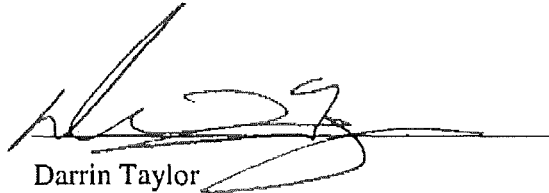
21 11. Based on Mr. Skau's available HOS Logs, I estimate that he drove 10,410 miles
22 during the five week period of March 26, 2017 to May 1, 2017. As noted above, Mr. Skau
23 worked approximately 195.53 hours during this period, which includes both on duty driving
24 and on duty, not driving time. Thus, I estimate that Mr. Skau traveled approximately 53 miles
25 per hour during the period in which his HOS Logs are available.
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27 DECLARATION OF DARRIN TAYLOR IN SUPPORT
OF DEFENDANT JBS CARRIERS, INC.'S NOTICE OF
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1 I declare under penalty of perjury under the laws of the United States that the foregoing
2 is true and correct.

3 Executed at Greeley, Colorado, on
4 September 29, 2017.

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6 Darrin Taylor

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27 DECLARATION OF DARRIN TAYLOR IN SUPPORT
OF DEFENDANT JBS CARRIERS, INC.'S NOTICE OF
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Exhibit D

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

No.

DECLARATION OF MICHAEL
McQUADE IN SUPPORT OF
DEFENDANT JBS CARRIERS,
INC'S NOTICE OF REMOVAL

I, Michael McQuade, declare:

1. I am the Human Resources Director for Defendant, JBS Carriers, Inc. ("JBS Carriers"). In my role as Human Resources Director, I oversee all human resources operations for JBS Carriers. As Human Resources Director and in preparation for this declaration, I reviewed Mr. Skau's personnel file and other documents relating to Mr. Skau. As such, I have personal knowledge of the facts stated herein and if called to testify thereto could do so competently.

2. This declaration sets forth information I have compiled from other corporate departments located here in Greeley, Colorado. This information is maintained in the ordinary course of business, was prepared at or near the time of events or matters described therein, and records such data accurately. I have access, either directly or indirectly, to these business and corporate records in the ordinary course of business, and I periodically refer to them.

3. JBS Carriers is a subsidiary of Swift Brands Company, which falls under the JBS USA Food Company ("JBS") umbrella. JBS is a food processing company with plants around the country. JBS Carriers employs over the road truck drivers who, in large part,

DECLARATION OF MICHAEL MCQUADE IN SUPPORT
OF DEFENDANT JBS CARRIERS, INC.'S NOTICE OF
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1 transport JBS' animal protein and agricultural products from production facilities to customers
2 throughout the United States. JBS Carriers operates nationwide.

3 4. JBS and JBS Carriers are both headquartered in Greeley, Colorado. Almost all
4 of JBS Carriers' human resources, payroll, accounting, hiring, recruiting, and training
5 personnel are located and operated out of Greeley, Colorado. The only exception is that JBS
6 Carriers employs one recruiter in Green Bay, Wisconsin and Hyrum, Utah, and one billing
7 specialist in Texas. As JBS Carriers' HR Director, my office is located in Greeley, Colorado.
8 JBS Carriers' principal place of business is in Colorado.

9 5. Plaintiff Kurt Skau was a resident of Washington during his employment with
10 JBS Carriers, and I do not have any reason to believe plaintiff is no longer a resident of
11 Washington. Plaintiff was employed by JBS Carriers from November 9, 2015 until May 5,
12 2017.

13 6. Every new driver, including Mr. Skau attends an orientation program that occurs
14 in Greeley, Colorado. The orientation program offered to new drivers of JBS Carriers is
15 approximately four days long, with drivers arriving on Monday and being relieved of work at
16 varying times throughout the day on Thursday. The length of orientation is between 24-32
17 hours, depending on the driver.

18 7. In addition to the orientation program, some drivers also participate in a driving
19 training program, known as the "Trainee/Mentor Program." The Trainee/Mentor Program pairs
20 new drivers with a mentor for approximately 15,000 miles. The number of miles required
21 varies depending on the new driver's experience and development. Generally, it takes new
22 drivers 5 weeks to complete the training, but, again, it can take more or less time depending on
23 the experience and development of each individual. Once the new driver completes the
24 Trainee/Mentor Program, he is offered routes to drive on his own.
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27 DECLARATION OF MICHAEL MCQUADE IN SUPPORT
OF DEFENDANT JBS CARRIERS, INC.'S NOTICE OF
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1 I declare under penalty of perjury under the laws of the United States that the foregoing
2 is true and correct.

3 Executed at GARREY, COLORADO, on
4 September 29, 2017.

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7 Michael McQuade
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27 DECLARATION OF MICHAEL MCQUADE IN SUPPORT
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Exhibit A-3

Exhibit E

THE HONORABLE ROBERT S. LASNIK

U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

KEVIN HELDE, JON BODILY, and MAX
TENA, on their own behalf and on the behalf
of all others similarly situated,

Plaintiffs,

v.

KNIGHT TRANSPORTATION, INC., an
Arizona corporation,

Defendant.

NO. 2:12-cv-00904-RSL

**DECLARATION OF TOBY J.
MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR
AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF
LITIGATION COSTS**

I, Toby J. Marshall, declare as follows:

1. I am a member of Terrell Marshall Law Group PLLC and counsel for Plaintiffs Kevin Helde, Jon Bodily and Max Tena in this matter. I am over 18 years of age, make this declaration based on personal knowledge, and am competent to testify regarding the following facts.

The Requested Fee Award

2. Plaintiffs are moving for an award of reasonable attorneys' fees and reimbursement of litigation costs. Plaintiffs are requesting a fee award of \$1,401,612, which represents Class Counsel's lodestar after reduction for unsuccessful claims and with a

1 multiplier of 1.5 in recognition of the risk of no recovery and the quality of services provided to
2 the class.

3 3. Attached as **Exhibit A** is a spreadsheet that provides Class Counsel's detailed
4 time records in chronological order by timekeeper. The information in the chart is taken from
5 contemporaneous, daily time reports prepared and maintained by Terrell Marshall and Rekhi &
6 Wolk in the regular course of business. We have redacted privileged and similarly confidential
7 information from the time reports, which are otherwise provided in full.

8 4. As of May 31, 2017, Class Counsel devoted 3,045.63 hours to his case for a
9 total lodestar of \$1,121,630.99.

10 5. I reviewed Class Counsel's billing records and reduced and eliminated time
11 where appropriate. I eliminated time that was administrative in nature, and made reductions
12 where time arguably could have been more efficiently spent. I also eliminated and reduced time
13 to account for Plaintiffs' unsuccessful claims. I eliminated time that was devoted exclusively to
14 litigating claims for overtime wages, compensation for time spent on duty, not driving,
15 payment for miles driven, and delayed bonus payments, as well as claims brought under the
16 Washington Consumer Protection Act and time spent on the motion for reconsideration. I
17 reduced the time spent on class certification by 25%, on responding to Knight's first summary
18 judgment motion by 25%, and on the parties' cross-motions for summary judgment by 50%. I
19 reduced by 25% time spent working with experts and on damages issues through the Court's
20 ruling in April 2016 that Plaintiffs could not recover separate wages for their on duty, not
21 driving tasks, and reduced all deposition time by 15%.

22 6. The amount of and reason for each writedown is show on Exhibit A. In total
23 Class Counsel Counsel reduced their hours by 611.08, or 20.06%, and their lodestar by
24 \$187,222.82, or 16.69%. Following these reductions, Class Counsel's lodestar is \$934,408.17.

25 7. Class Counsel requests a multiplier of 1.5 on their reduced lodestar, for a total
26 fee award of \$1,401,612.

Terrell Marshall's Qualifications and Rates

8. The following table identifies the attorneys and staff members from my firm who worked on this case and for whom the recovery of fees is sought. For each of the timekeepers below, I have stated the current hourly rate, the number of hours billed after the reductions discussed above, and the total amount of fees.

Name and Position	Rate	Hours	Total
Toby J. Marshall Managing Partner J.D. from Univ. of Washington School of Law, 2002	\$475	713.7	\$339,007.50
Jennifer Rust Murray Partner J.D. from Univ. of Washington School of Law, 2005	\$450	5.6	\$2,520.00
Amanda M. Steiner Partner J.D. from UC Berkeley School of Law, 1997	\$495	20.5	\$10,147.50
Marc C. Cote Partner J.D. from Univ. of Washington School of Law, 2007	\$375	72.5	\$27,187.50
Erika L. Nusser Associate J.D. from Univ. of San Francisco School of Law, 2008	\$350	428.2	\$149,870.00
Sharon Safarik Associate J.D. from Univ. of Washington School of Law, 2005	\$225	35.1	\$7,897.50
Eric Nusser Associate J.D. from Seattle Univ. School of Law, 2016	\$150	25.2	\$3,780.00

Name and Position	Rate	Hours	Total
Eden Nordby Senior Paralegal 11 years legal experience	\$150	131.3	\$19,695.00
Jennifer Boschen Senior Paralegal 17 years legal experience	\$150	9.5	\$1,425.00
Hannelore Ohaus Legal Assistant 6 years legal experience	\$75	5.3	\$397.50
Hannah Buckendorf Legal Assistant	\$50	13.0	\$650.00
Bradford Kinsey Legal Assistant 26 years legal experience	\$100	42.075	\$4,207.50
Holly Rota Legal Assistant 11 years legal experience	\$100	15.5	\$1,550.00
Christine Stanley Legal Assistant 10 years legal experience	\$100	10.1	\$1,010.00

9. Terrell Marshall sets its rates for attorneys and staff members based on a variety of factors, including among others: the experience, skill and sophistication required for the types of legal services typically performed; the rates customarily charged in similar matters; the rates customarily charged by other lawyers of similar skill and experience; and the experience, reputation, and ability of Terrell Marshall's attorneys and staff members.

10. Our lodestar calculations are based on our current standard hourly rates. Courts throughout Washington and around the country have approved fee requests by Terrell Marshall that were based the standard rates of the firm at the time of the application. Indeed, many courts have approved fee requests by Terrell Marshall that were based on higher billing rates. Here is

1 a sample of the federal and state courts that have approved Terrell Marshall's rates as
2 reasonable in class action litigation:

- 3 a. *Paz v. Sakuma Brothers Farms, Inc.*, C13-01918 MJP (W.D.
4 Wash.) (July 2016) (approving Terrell Marshall's standard
5 rates);
- 6 b. *Witschel v. IMCO General Construction, Inc., et al.*, Case No.
7 13-2-00975-0 (Wash. Super. Ct. Skagit County) (June 2016)
8 (approving Terrell Marshall's standard rates);
- 9 c. *Taylor v. Universal Auto Group I, Inc.*, C13-05245 KLS
10 (W.D. Wash.) (Nov. 2015) (approving rates of up to
11 \$650/hour for Terrell Marshall attorneys);
- 12 d. *Romatka, et al. v. Brinker Int'l. Payroll Company, L.P., et al.*,
13 Case No. 13-2-14937-1 SEA (Wash. Super. Ct. King County)
14 (March 2015) (approving Terrell Marshall's standard rates);
- 15 e. *Chesbro v. Best Buy Stores, L.P.*, C10-774 RAJ (W.D.
16 Wash.) (Sept. 2014) (approving rates up to \$650/hour for
17 Terrell Marshall attorneys);
- 18 f. *Wilbur, et al. v. City of Mount Vernon, et al.*, C11-1100 RSL
19 (W.D. Wash.) (April 2014) (approving Terrell Marshall's
20 standard rates);
- 21 g. *Brown v. Consumer Law Associates, LLC*, C11-0194 (E.D.
22 Wash.) (Nov. 2013) (approving Terrell Marshall's standard
23 rates);
- 24 h. *Bronzich, et al. v. Persels & Associates, LLC*, C10-0364
25 (E.D. Wash.) (approving Terrell Marshall's standard rates);
26

- i. *Milligan v. Toyota Motor Sales, U.S.A., Inc.*, C09-05418 RS (N.D. Cal.) (Jan. 2012) (approving rates up to \$600/hour for Terrell Marshall attorneys);
- j. *Seraphin v. AT&T Internet Svcs.*, CV-00131-REB (D. Idaho) (Aug. 2011) (approving rates up to \$600/hour for Terrell Marshall attorneys);
- k. *Odom v. Microsoft Corp.*, Case No. 04-2-10618-4 SEA (Wash. Super. Ct. King County) (Sept. 2010) (approving rates up to \$560/hour for Terrell Marshall attorneys);
- l. *Ramirez v. Precision Drywall, Inc.*, Case No. 08-2-26023-2 SEA (Wash. Super. Ct. King County) (Aug. 2010) (approving Terrell Marshall's standard rates and awarding a multiplier)
- m. *Splater v. Thermal Ease Hydronic Systems, Inc.*, Case No. 03 2 33553-3 SEA (Wash. Super. Ct. King County) (July 2009) (approving rates up to \$560/hour for Terrell Marshall attorneys); and
- n. *Barnett, et al. v. Wal-Mart Stores, Inc.*, Case No. 01-2-24553-8 SEA (Wash. Super. Ct. King County) (July 2009) (approving rates up to \$560/hour for Terrell Marshall attorneys)

11. Since the beginning work on this case in September 2012, Terrell Marshall worked with no guarantee of being compensated for their time and efforts. Payment of Terrell Marshall's fees has always been contingent on successfully obtaining relief for the Plaintiffs and class members. As a result, there was a substantial risk of non-payment, particularly in light of the legal challenges involved in litigating this case. Work on this case has necessarily

1 been to the exclusion of work on other matters that likely would have generated fees. Terrell
2 Marshall has also been denied use of the fees they earned over the course of this case.

3 12. Terrell Marshall is a law firm in Seattle, Washington that focuses on complex
4 civil and commercial litigation with an emphasis on consumer protection, product defect,
5 employment, wage and hour, real estate, personal injury, and civil rights matters. The firm's
6 attorneys have extensive experience in class actions, collective actions, and other complex
7 matters. They have been appointed lead or co-lead class counsel in numerous cases at both the
8 state and federal level. They have prosecuted a variety of multi-million-dollar consumer fraud,
9 wage and hour, securities fraud, and product defect class actions. The defendants in these cases
10 have included companies such as Wal-Mart, Microsoft, Best Buy, Toyota, Honda, Sallie Mae,
11 Comcast, ABM Industries, AT&T, T-Mobile USA, Weyerhaeuser, Behr Products, American
12 Cemwood, Bank of America, Discover, Chase, Capital One, and HSBC.

13 13. In addition to this case, Terrell Marshall's attorneys have served as co-lead
14 counsel in several employment class or collective actions, including the following:

- 15 • *Romatka, et al. v. Brinker International Payroll Company, L.P., et al.*
16 — Filed in 2013 on behalf of approximately 900 current and former
17 hourly employees who alleged wage and hour violations regarding
18 failure to provide rest breaks and failure to properly disclose service
19 charges. We obtained a \$900,000 settlement on behalf of the Class.
20 The settlement received final approval on March 6, 2015.
- 21 • *Newell v. Home Care of Washington, Inc., et al.* — Terrell Marshall
22 represented a class of more than 400 in-home health care workers
23 who alleged violations of state wage and hour law. The class was
24 certified on December 20, 2012 by the Honorable Linda Tompkins,
25 in Washington State Superior Court, in and for Spokane County.
26 This case settled in 2014 and received final settlement approval in
early 2015.
- *Paz v. Sakuma Brothers Farms, Inc.* — Terrell Marshall represented
a class of almost 1,000 migrant and seasonal berry pickers who
alleged violations of state wage and hour law and the federal
Agricultural Worker Protection Act. The primary claims in the case
settled for \$850,000 plus an agreement on injunctive relief in May
2014; preliminary approval of the settlement was granted by the

1 Honorable Marsha J. Pechman in the United States District Court for
2 the Western District of Washington in July 2014, and final approval
3 was granted in November 2014. We successfully litigated additional
4 claims not covered by the 2014 settlement, which resulted in a
5 unanimous opinion by the Washington Supreme Court in *Lopez*
6 *Demetrio v. Sakuma Brothers Farms, Inc.*, 183 Wn.2d 649 (2015).
7 Following the Washington Supreme Court decision, the court
8 approved a final settlement of all claims and ordered payment of
9 Plaintiffs' attorneys' fees and costs in July 2016.

- 10 • *Hill v. Xerox Business Services, LLC, et al.* — Terrell Marshall
11 represents a class of current and former call center workers who
12 allege violations of Washington wage and hour laws. This case was
13 filed in 2012. In 2014, the Honorable John Coughenour found that
14 the elements for class certification were met and denied the
15 defendants' motion for partial summary judgment. The defendants
16 appealed the summary judgment ruling, and the appeal is pending in
17 the Ninth Circuit Court of Appeals.
- 18 • *Douglas v. Xerox Business Services, LLC, et al.* — Terrell Marshall
19 represents a proposed nationwide class of current and former call
20 center workers who allege violations of the Fair Labor Standards
21 Act. This case was filed in 2012. In 2014, the Honorable John
22 Coughenour conditionally certified a collective action on the central
23 claims. An appeal of a summary judgment ruling is pending in the
24 Ninth Circuit Court of Appeals.
- 25 • *Dickerson v. Cable Communications, Inc., et al.* — Filed in 2012 on
26 behalf of approximately 500 individuals alleging their employer
violated Oregon's wage and hour laws. Defendants' systematic
scheme of wage and hour violations involved, among other things,
failure to pay non-managerial installation technicians for all hours
worked, including overtime. The case settled on a class-wide basis,
and approval was granted in 2013.
- *Khadera v. ABM Industries, Inc.* — Terrell Marshall represented an
opt-in FLSA class of 337 employees who alleged violations of
federal and state wage and hour law. The case settled in March 2012,
and final approval of the settlement was granted on October 17, 2012
by the Honorable Ricardo S. Martinez, in the United States District
Court for the Western District of Washington.

- *Simpson v. ABM Industries, Inc.* — Terrell Marshall represented a CR 23 class of approximately 6,800 employees who alleged Washington State wage and hour violations. The case settled in March 2012, and final approval of the settlement was granted on September 2012 by the Honorable Teresa B. Doyle, in the Washington State Superior Court in and for King County.
- *Barnett, et al. v. Wal-Mart Stores, Inc.* — Filed in 2001 on behalf of Washington employees alleging wage and hour violations by the country’s largest private employer. After more than seven years of litigation, Terrell Marshall obtained a settlement of \$35 million on behalf of a certified class of approximately 88,000 employees. That settlement was approved in July 2009.
- *McGinnity, et al. v. AutoNation, Inc., et al.* — Terrell Marshall represented a certified class of more than 500 employees who were denied earned vacation benefits. After nearly two years of litigation before an arbitrator, we obtained an award of \$2.34 million on behalf of the class. We successfully defended the award on appeal, and the Washington Supreme Court denied defendants’ petition for review. A judgment in excess of \$2,600,000 was satisfied in September 2009.
- *Ramirez, et al. v. Precision Drywall, Inc.* — Terrell Marshall represented a certified class of workers who alleged they were not paid for overtime work. The case was tried before a jury during a five-week period in 2010, and Terrell Marshall successfully obtained a judgment for the workers in excess of \$4,000,000. Terrell Marshall continues to work on enforcing the judgment against multiple defendants. An initial distribution of funds collected so far was made to eligible class members in April 2016.
- *Reese v. Dycom, Inc.* — Terrell Marshall attorneys represented a class of over 1,700 current and former employees in Washington and Oregon who alleged wage and hour violations. Terrell Marshall obtained a \$1.4 million settlement on behalf of the Class. The settlement received final approval on April 23, 2010.
- *Telecommunications Company Lawsuit II* — Attorneys of Terrell Marshall represented a certified class of more than 2,400 current and former employees in Washington and Oregon who alleged wage and hour violations. Attorneys of Terrell Marshall obtained a \$3,000,000 settlement after nearly four years of intense litigation, and the court granted final approval of the settlement in March 2009.

- *Labor Services Company Lawsuit* — Terrell Marshall represented a class of 1,390 employees who alleged wage and hour violations. The case settled in 2009, and Plaintiffs’ Motion for Final Approval of Class Action Settlement was granted on April 23, 2010.
- *Martinez v. 24 Hr. Professional Janitorial Services, Inc.* — Terrell Marshall represented a class of 175 employees who alleged wage and hour violations. The case settled in 2009, and the settlement was approved by the Honorable Paris Kallas, in the Washington State Superior Court in and for King County.
- *Mendis v. Schneider National Carriers, Inc.* — Filed in 2014, Terrell Marshall represents a certified class of approximately 900 current and former employees who allege wage and hour violations that include failure to pay for overtime, failure to pay for rest breaks, failure to pay minimum wage, and other violations of Washington wage and hour laws.
- *Witschel v. IMCO General Construction, Inc.* — Filed in 2013 in Washington State Superior Court in and for Skagit County. Terrell Marshall represented current and former hourly-paid employees who alleged violations of Washington wage and hour law regarding rest breaks. The case settled on a class-wide basis for \$1.1 million. Final approval of the settlement was granted on June 16, 2016

14. I am the lead attorney from Terrell Marshall for this case and I supervised all work performed. A founding member of the firm and its current managing member, I concentrate my practice in complex civil litigation, including the prosecution of consumer, wage and hour, and civil rights class actions. I have been actively involved in every aspect of dozens of class actions brought on behalf of consumers, employees, and others, and have recovered millions of dollars and obtained substantial injunctive relief for the represented groups.

15. I received a B.A., cum laude, from California State University, Sacramento in 1996. In 2002, I received my J.D. from the University of Washington School of Law, where I served on the Moot Court Honor Board and was selected to the Order of Barristers.

16. I have tried and won cases in state and federal courts and have also successfully briefed and argued cases before the Washington Supreme Court, the Washington State Court of Appeals, and the Ninth Circuit Court of Appeals. In *Wilbur v. Mount Vernon* (W.D. Wash.), for

example, I was appointed co-lead class counsel for a certified class of indigent defendants in Mount Vernon and Burlington, Washington. After three years of litigation and a nine-day bench trial, my co-counsel and I prevailed and obtained substantial injunctive relief on behalf of the class. The New York Times noted that the settlement was “the first time a federal court had appointed a supervisor to oversee a public-defense system.” Attorney General Eric Holder called the result “pivotal” and said it “will help us meet our constitutional and moral obligations to administer a legal system that matches its demands for accountability with a commitment to due process.” My colleagues and I received the Champion of Justice Award from WACDL and the President’s Award from WDA for our work on the case.

17. I am actively involved in several professional organizations and activities. For example, I currently serve on the amicus and legislative committees of the Washington Employment Lawyers Association and the board of the Washington Appellate Project. I am also a member of the Washington State Association for Justice, the Public Justice Foundation, and the National Association of Consumer Advocates. Previously, in 2013, I served as the Chair of the Washington State Bar Association Labor & Employment Law Section Executive Committee, and I served as the Section’s Treasurer in 2011 and 2012.

18. I have been named several times to the annual Washington “Super Lawyers” list and “Rising Star” list by Washington Law & Politics Magazine.

19. Jennifer Rust Murray is a founding member of Terrell Marshall. Ms. Murray graduated from the University of Washington School of Law in 2005 where she was a member of the Washington Law Review. Ms. Murray’s law review article entitled “Proving Cause in Fact under Washington’s Consumer Protection Act: The Case for a Rebuttable Presumption of Reliance” won the Carkeek prize for best submission by a student author. Prior to law school, Ms. Murray earned a Ph.D. in Philosophy from Emory University. Ms. Murray has been an active member of the Washington State Bar Association since her admission to the bar in 2005. In 2010, Ms. Murray was admitted to the Oregon State Bar. In 2011, 2012, 2013, 2014, 2015,

1 and 2016, Ms. Murray was named a Washington “Rising Star” by SuperLawyer Magazine.
2 Ms. Murray focuses her practice on complex commercial litigation with an emphasis on
3 consumer and employment issues. She has been involved in nearly every class action
4 prosecuted by the firm.

5 20. Amanda M. Steiner is a member of Terrell Marshall with nearly twenty years of
6 experience in class action and complex civil litigation. A 1997 graduate of UC Berkeley School
7 of Law who is admitted in Washington, California, New York and Hawaii, she has authored
8 briefs that have resulted in numerous favorable decisions for plaintiffs in high-profile and
9 complex securities, antitrust, consumer and civil rights class action in federal and state courts
10 throughout the United States. Ms. Steiner was selected for inclusion in the annual Northern
11 California “Super Lawyers” list (2012-2016) and was named to the Top 50 Women Lawyers of
12 Northern California. She is a member of the Legal Writing Institute and the American Bar
13 Association’s Appellate Practice Committee, and is a Fellow of the American Bar Foundation.
14 I supervised Ms. Steiner’s legal work on this case.

15 21. Marc C. Cote is a former partner at Terrell Marshall. He graduated from the
16 University of Washington School of Law with high honors in 2007. He served as a Law Clerk
17 to the Honorable Walter L. Carpeneti of the Alaska Supreme Court. Mr. Cote concentrates his
18 practice on complex civil litigation and employment law, including individual and class action
19 wage and hour cases. He was on the trial team for the plaintiffs in the wage and hour class
20 action, *Ramirez v. Precision Drywall, Inc.* (King County Superior Court, 2010), and has
21 litigated numerous employment cases, including wage and hour class actions, in both state and
22 federal court. He is also active in several professional organizations and is the co-author of the
23 Wage and Hour Law chapter of the 2013 edition of the Washington State Association for
24 Justice Employment Law Deskbook. He has been named to the *Rising Star* list by Super
25 Lawyers multiple times.

22. Erika L. Nusser is a 2008 graduate of the University of San Francisco School of Law, with significant experience in class action litigation. Ms. Nusser has been actively involved in every aspect of numerous class actions, including serving as trial counsel in *Ramirez v. Precision Drywall, Inc.*, supra. She has tried and won cases in state and federal courts and has also successfully briefed and argued cases before the Washington State Court of Appeals and the Ninth Circuit Court of Appeals. Ms. Nusser has also been named to the annual Washington “Super Lawyers” and “Rising Star” lists by Washington Law & Politics Magazine from 2013 – 2017. I supervised Ms. Nusser’s legal work on this case.

23. Sharon Safarik was an associate at Terrell Marshall. She graduated from the University of Washington School of Law in 2005. I supervised Ms. Safarik’s legal work on this case.

24. Eric Nusser is a 2016 graduate of the University of Seattle University School of Law. He focused his studies on labor and employment law and civil litigation, served as an extern to the Honorable Lisa R. Worswick at the Washington Court of Appeals, and was a summer associate at the Unemployment Law Project. He also served as a president of the Seattle University Labor and Employment Law Association and was a three-time recipient of the Presidential Law Scholarship. I supervised Mr. Nusser’s legal work on this case.

25. Eden Nordby is a senior litigation paralegal and Terrell Marshall. She has a B.A. from Sarah Lawrence College. Ms. Nordby has more than nine years of experience managing complex litigation and also has extensive experience in conducting electronic discovery. I supervised Ms. Nordby’s legal work on this case.

26. Jennifer Boschen has been a senior litigation paralegal at Terrell Marshall. She has a B.A. from Rutgers University. Ms. Boschen has ten years of experience managing complex litigation and has become knowledgeable about conducting electronic discovery. Ms. Boschen’s unique qualifications and experience as both an investigator and as a litigation

1 paralegal with extensive ESI experience make her extremely valuable. I supervised Ms.
2 Boschen's legal work on this case.

3 27. Hannelore Ohaus was a legal assistant at Terrell Marshall. She has a B.A. from
4 Whitman College and six years of litigation experience. I supervised Ms. Ohaus's legal work
5 on this case.

6 28. Hannah Buckendorf was a legal assistant at Terrell Marshall. She has a B.A.
7 from the College of Idaho. I supervised Ms. Buckendorf's legal work on this case.

8 29. Bradford Kinsey is a litigation assistant at Terrell Marshall and has worked in
9 that capacity with the firm since 2009. He has twenty-six years of experience as a litigation
10 assistant. I supervised Mr. Kinsey's work on this case.

11 30. Holly Rota is a litigation assistant at Terrell Marshall and has worked in that
12 capacity with the firm for two years. She has eleven years of experience as a litigation assistant.
13 I supervised Ms. Rota's work on this case

14 31. Christine Stanley was a litigation assistant at Terrell Marshall. When she left the
15 firm, she had ten years of experience as a litigation assistant. I supervised Ms. Stanley's work
16 on the case.

17 **Litigation Costs**

18 32. Through the date of this submission, Class Counsel have reasonably and
19 necessarily incurred \$64,308.05 in unreimbursed litigation costs reasonably related to the
20 prosecution of this case. These costs are customarily charged to and paid by hourly clients. The
21 following chart summarizes Class Counsel's litigation costs:

Type of Cost	Amount
Computer Research (Westlaw and Pacer)	\$6,554.36
Courier and Postage	\$584.16
Expert Costs	\$43,290
Filing Fees	\$232.49

Type of Cost	Amount
Meals	\$281.77
Mediation Costs	\$5,055.50
Notice Costs	\$379.52
Process Service	\$60.00
Records Productions/Transcripts	\$4,660.89
Reproductions (scanning and copying)	\$1,633.90
Travel and Lodging	\$1,575.46
Total	\$64,308.05

33. This chart includes a 25% reduction of Westlaw charges and amounts paid to experts Jeff Munson and Robert D. Abbott, Ph.D., for work related to Plaintiffs' unsuccessful claims.

34. The spreadsheet attached as **Exhibit B** provides a detailed list of Terrell Marshall's litigation costs and is taken from contemporaneous, documented expense records regularly prepared and maintained by Terrell Marshall in the regular course of business.

I declare under penalty of perjury under the laws of the United States and the State of Washington that the foregoing is true and correct.

Executed at Seattle, Washington, on this 7th day of June, 2017.

By: /s/ Toby J. Marshall, WSBA #32726
Toby J. Marshall, WSBA #32726

CERTIFICATE OF SERVICE

I, Toby J. Marshall, hereby certify that on June 7, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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Attorneys for Defendant

DATED this 7th day of June, 2017.

TERRELL MARSHALL LAW GROUP PLLC

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Attorneys for Plaintiffs

- Exhibit A -

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 17
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
2	1/10/2012	Greg Wolk	1.70	\$ 425.00	\$ 722.50	meet with client re claims and representation		\$ 722.50		RW
3	1/10/2012	Hardeep Rekhi	1.70	\$ 425.00	\$ 722.50	Initial client meeting		\$ 722.50		RW
4	1/10/2012	Jason Proctor	1.00	\$ 150.00	\$ 150.00	Created Redwell; Updated File	1.00	\$ -	Administrative	RW
5	1/11/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Teleconference With Client; E-Mails HSR & Gaw		\$ 30.00		RW
6	1/12/2012	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	Reviewed various case Issues & case law; legal research regarding claims; research regarding defendant; research regarding other similar claims		\$ 467.50		RW
7	1/12/2012	Jason Proctor	4.20	\$ 150.00	\$ 630.00	Requested EEOC File For Client; Requested FMCSA File; Requested ESD File; Requested Personnel File From Knight Transportation's Human Resource Office In Seattle.	3.40	\$ 120.00	Administrative/Relevance	RW
8	1/13/2012	Greg Wolk	2.80	\$ 425.00	\$ 1,190.00	analyze and investigate retaliation claims (1.5); review client documents (.5); prepare PRA request and rep letters (.2); research retaliation caselaw (.6)	2.30	\$ 212.50	Relevance	RW
9	1/13/2012	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	Strategized Case; review client documents; reviewed pay information; analyzed claims		\$ 382.50		RW
10	1/13/2012	Jason Proctor	1.00	\$ 150.00	\$ 150.00	Requested Personnel File; Requested L & I Documents; Teleconference With Ahson Aziz; Saved Fax	0.60	\$ 60.00	Relevance/Administrative	RW
11	1/13/2012	Jason Proctor	3.20	\$ 150.00	\$ 480.00	Teleconference With Ahson Aziz; Teleconference With Comdata; Investigated Comdata Records; Requested Unemployment Records; Scanned In Documents; Updated File	2.40	\$ 120.00	Administrative/Relevance	RW
12	1/16/2012	Greg Wolk	4.30	\$ 425.00	\$ 1,827.50	analyze and investigate claims; payroll card deductions		\$ 1,827.50		RW
13	1/16/2012	Hardeep Rekhi	2.40	\$ 425.00	\$ 1,020.00	Reviewed Case Issues; Teleconference With Client		\$ 1,020.00		RW
14	1/16/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Teleconference With Ahson Aziz; Scanned In Letter; Reviewed & Faxed; Scanned In Legal Research; Updated File	0.10	\$ 30.00	Administrative/Relevance	RW
15	1/19/2012	Jason Proctor	1.70	\$ 150.00	\$ 255.00	Teleconference With Unemployment Law Project; Scanned And Reviewed L & I Public Records E-Mail	1.70	\$ -	Administrative/Relevance	RW
16	1/26/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Left Message For EEOC; Reviewed Voicemail & Letter; Scanned And Calendared Deadlines	0.50	\$ -	Administrative	RW
17	1/30/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Scanned In Letter	0.10	\$ -	Administrative	RW
18	1/31/2012	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Follow-Up With Opposing Counsel		\$ 85.00		RW
19	2/2/2012	Jason Proctor	0.80	\$ 150.00	\$ 120.00	Scanned In ESD Documents	0.80	\$ -	Administrative	RW
20	2/3/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	analyze and investigate retaliation claim	0.30	\$ -	Relevance	RW
21	2/3/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Strategized Case		\$ 45.00		RW
22	2/7/2012	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	Reviewed Client Documents; Discussed The Same		\$ 255.00		RW
23	2/8/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	review client documents		\$ 85.00		RW
24	2/8/2012	Jason Proctor	0.80	\$ 150.00	\$ 120.00	Saved Fax; Drafted Letter To Knight Transportation	0.20	\$ 90.00	Administrative	RW
25	2/9/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Mailed Letter	0.20	\$ -	Administrative	RW
26	2/14/2012	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Reviewed Case Issues; review client documents; analyze case issues and strategize case; Teleconference With Client; E-Mailed Opposing Counsel		\$ 340.00		RW
27	2/17/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	meet with client re claims and next steps	0.10	\$ 85.00	Relevance	RW
28	2/17/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Scanned In Letter From EEOC	0.20	\$ -	Administrative	RW
29	2/20/2012	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Strategized Case; Reviewed Documents; Teleconference With Client		\$ 340.00		RW
30	2/21/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed L&I Letter; Scanned And Filed	0.20	\$ -	Administrative	RW
31	2/27/2012	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	E-Mail Correspondence		\$ 85.00		RW
32	2/27/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved & Reviewed E-Mail		\$ 30.00	Administrative	RW
33	2/28/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	review email from employer (.1); analyze next steps (.3)		\$ 170.00		RW
34	2/28/2012	Hardeep Rekhi	1.60	\$ 425.00	\$ 680.00	Reviewed E-Mails; research regarding the same; teleconference to client regarding the same; Review time logs received from defendant		\$ 680.00		RW
35	2/28/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Reviewed E-Mail; Saved Personnel File & Scanned E-Mail		\$ 45.00	Administrative	RW
36	2/29/2012	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Reviewed Correspondence from Defendant; reviewed time logs received from Defendant; analyzed the same		\$ 85.00		RW
37	3/1/2012	Greg Wolk	0.90	\$ 425.00	\$ 382.50	research wage claims		\$ 382.50		RW
38	3/1/2012	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Teleconference With Client		\$ 425.00		RW
39	3/1/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Teleconference With Ahson Aziz; Strategized Case		\$ 45.00		RW
40	3/5/2012	Greg Wolk	0.50	\$ 425.00	\$ 212.50	research per diem claim		\$ 212.50		RW
41	3/5/2012	Hardeep Rekhi	2.80	\$ 425.00	\$ 1,190.00	Researched Claims; find other similar claims; review dockets; review legal research regarding the same; develop and update case strategy		\$ 1,190.00		RW
42	3/6/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w HSR re communication from employer		\$ 127.50		RW
43	3/6/2012	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	Researched Claims; Teleconference With Defendant; review case records; research WACs re hours		\$ 510.00		RW
44	3/20/2012	Greg Wolk	0.60	\$ 425.00	\$ 255.00	review file (.2); analyze claims (.4)	0.20	\$ 170.00	Relevance	RW
45	3/20/2012	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	Review Driver Records		\$ 510.00		RW
46	3/20/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved Documents	0.20	\$ -	Administrative	RW
47	3/21/2012	Greg Wolk	2.40	\$ 425.00	\$ 1,020.00	analyze claims and confer w HSR re next steps	0.50	\$ 807.50	Relevance	RW
48	3/21/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Updated File	0.20	\$ -	Administrative	RW
49	3/26/2012	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	Researched wages issue; research overtime issue; calculate hourly rates;	0.30	\$ 340.00	Unsuccessful claims	RW
50	3/27/2012	Hardeep Rekhi	4.80	\$ 425.00	\$ 2,040.00	Reviewed driver Hours; Reviewed Case File; Developed Case Strategy		\$ 2,040.00		RW
51	3/28/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w HSR re communication with client		\$ 127.50		RW
52	3/28/2012	Hardeep Rekhi	2.70	\$ 425.00	\$ 1,147.50	Called Client; Discussed Case; Amended Fact And Strategy Memo; determine next steps		\$ 1,147.50		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
 PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
 AND REIMBURSEMENT OF LITIGATION COSTS - 18
 CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
53	3/28/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Strategized Case		\$ 30.00		RW
54	3/29/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer w HSR re next steps		\$ 170.00		RW
55	3/29/2012	Hardeep Rekhi	2.20	\$ 425.00	\$ 935.00	Research wage claims; research trucking cases; research WACs; Research class action claims issues		\$ 935.00		RW
56	4/2/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	analyze and revise fact memo		\$ 127.50		RW
57	4/2/2012	Hardeep Rekhi	5.00	\$ 425.00	\$ 2,125.00	Edited Fact Memo; Conducted Research on wage claims		\$ 2,125.00		RW
58	4/3/2012	Greg Wolk	1.20	\$ 425.00	\$ 510.00	analyze MSI from OR Knight case		\$ 510.00		RW
59	4/3/2012	Hardeep Rekhi	5.60	\$ 425.00	\$ 2,380.00	Researched Possible Class Claims; Called Client; Researched Class Claims		\$ 2,380.00		RW
60	4/3/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Legal Research; Scanned, Reviewed And Calendared Letter From OSHA	0.10	\$ 30.00	Administrative/Relevance	RW
61	4/4/2012	Greg Wolk	0.70	\$ 425.00	\$ 297.50	review documents and analyze class claims		\$ 297.50		RW
62	4/4/2012	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	Teleconference With Client; Discussed Case Strategy		\$ 297.50		RW
63	4/5/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer w HSR re class claims		\$ 170.00		RW
64	4/5/2012	Hardeep Rekhi	2.90	\$ 425.00	\$ 1,232.50	Researched Claims re class action, wage claims; research trucking industry re mileage pay		\$ 1,232.50		RW
65	4/6/2012	Greg Wolk	1.70	\$ 425.00	\$ 722.50	research class claims		\$ 722.50		RW
66	4/6/2012	Hardeep Rekhi	2.60	\$ 425.00	\$ 1,105.00	Researched Claims re class action, wage claims; research trucking industry re mileage pay		\$ 1,105.00		RW
67	4/9/2012	Greg Wolk	2.70	\$ 425.00	\$ 1,147.50	revise draft complaint; confer w HSR re meeting with opposing counsel and possible co-counsel; confer w client		\$ 1,147.50		RW
68	4/9/2012	Hardeep Rekhi	3.60	\$ 425.00	\$ 1,530.00	Teleconference With Client; Discussed Class Action; Drafted Complaint; Researched Claims; Researched Defendant		\$ 1,530.00		RW
69	4/10/2012	Greg Wolk	2.00	\$ 425.00	\$ 850.00	revise complaint; research caselaw		\$ 850.00		RW
70	4/10/2012	Hardeep Rekhi	4.10	\$ 425.00	\$ 1,742.50	Revise Drafted Complaint; research re same; review other similar claims I industry;		\$ 1,742.50		RW
71	4/10/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Voicemail	0.10	\$ -	Administrative	RW
72	4/11/2012	Greg Wolk	2.80	\$ 425.00	\$ 1,190.00	revise complaint; research caselaw; confer w client re next steps		\$ 1,190.00		RW
73	4/11/2012	Hardeep Rekhi	1.40	\$ 425.00	\$ 595.00	Revise Drafted Complaint; research re same; review other similar claims I industry;		\$ 595.00		RW
74	4/11/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Strategized Case; Left Message With Fmcsa; Teleconference With Client	0.10	\$ 45.00	Administrative	RW
75	4/12/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Reviewed Case Strategy		\$ 212.50		RW
76	4/12/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Records Management	0.20	\$ -	Administrative	RW
77	4/13/2012	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	Finalized Complaint		\$ 467.50		RW
78	4/16/2012	Greg Wolk	1.50	\$ 425.00	\$ 637.50	research law and draft PRA request to L&I	0.30	\$ 510.00	Relevance	RW
79	4/16/2012	Hardeep Rekhi	1.40	\$ 425.00	\$ 595.00	Strategized Meeting; Researched Per Diem Issue		\$ 595.00		RW
80	4/16/2012	Jason Proctor	3.20	\$ 150.00	\$ 480.00	Edited Summons & Complaint; Re-Requested L & I Records; Teleconference With L & I	0.30	\$ 435.00	Administrative	RW
81	4/16/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Teleconference With Process Server		\$ 15.00		RW
82	4/17/2012	Greg Wolk	0.50	\$ 425.00	\$ 212.50	confer w HSR re getting additional information and next steps		\$ 212.50		RW
83	4/17/2012	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	Researched Per Diem; Review Advertising	0.40	\$ 297.50	Unsuccessful claims	RW
84	4/18/2012	Greg Wolk	1.00	\$ 425.00	\$ 425.00	research and draft complaint		\$ 425.00		RW
85	4/18/2012	Hardeep Rekhi	1.80	\$ 425.00	\$ 765.00	Draft discovery		\$ 765.00		RW
86	4/18/2012	Jason Proctor	0.80	\$ 150.00	\$ 120.00	Drafted Letter To Fmcsa; Left Message For Client	0.70	\$ 15.00	Relevance	RW
87	4/19/2012	Greg Wolk	2.80	\$ 425.00	\$ 1,190.00	revise complaint (1.0); revise discovery requests (1.8)		\$ 1,190.00		RW
88	4/19/2012	Hardeep Rekhi	2.40	\$ 425.00	\$ 1,020.00	Finalized Complaint & Discovery		\$ 1,020.00		RW
89	4/19/2012	Jason Proctor	1.50	\$ 150.00	\$ 225.00	Edited Discovery; Filed Summons & Complaint; Updated File; Prepared Documents For Process Server; Drafted Letter To Process Server; Mailed; Printed Copies; Updated File	0.50	\$ 150.00	Administrative	RW
90	4/19/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Calendared Deadlines	0.50	\$ -	Administrative	RW
91	4/23/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Saved And Reviewed E-Mail From L & I; E-Mailed L & I	0.50	\$ -	Administrative	RW
92	4/24/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed And Saved E-Mail; E-Mailed L & I	0.20	\$ -	Administrative	RW
93	4/26/2012	Jason Proctor	0.70	\$ 150.00	\$ 105.00	Calendared Deadlines; Updated File	0.70	\$ -	Administrative	RW
94	4/29/2012	Greg Wolk	1.00	\$ 425.00	\$ 425.00	finalize complaint and discovery requests		\$ 425.00		RW
95	4/30/2012	Greg Wolk	0.50	\$ 425.00	\$ 212.50	finalize complaint and discovery requests (.3); confer w HSR re work product (.2)		\$ 212.50		RW
96	4/30/2012	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Reviewed Service Issues		\$ 85.00		RW
97	4/30/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Calendared Answer To Defendant	0.10	\$ -	Administrative	RW
98	4/30/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Edited Summons And Strategized Case		\$ 30.00		RW
99	4/30/2012	Jason Proctor	0.90	\$ 150.00	\$ 135.00	Edited Letter To Knight; Edited Discovery; Teleconference With Process Server; E-Mailed Process Server; Updated File	0.20	\$ 105.00	Administrative	RW
100	5/1/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Scanned In Declaration Of Service & Invoice & Calendared Answer	0.40	\$ -	Administrative	RW
101	5/4/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	E-Filed Corrected Summons And Declaration Of Service	0.40	\$ -	Administrative	RW
102	5/7/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Mailed Check To Process Server	0.10	\$ -	Administrative	RW
103	5/15/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer w HSR re opposing counsel communication		\$ 85.00		RW
104	5/15/2012	Jason Proctor	0.80	\$ 150.00	\$ 120.00	Teleconference With Opposing Counsel; Reviewed Voicemail; Saved And Looked-Up Attorney Information; E-Mailed HSR And Gaw; Document Management	0.40	\$ 60.00	Administrative	RW
105	5/16/2012	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	research class claims and determine strategy; review strategy from other similar claims		\$ 297.50		RW
106	5/16/2012	Jason Proctor	1.20	\$ 150.00	\$ 180.00	Strategized Case; Researched Multnomah County Records		\$ 180.00		RW
107	5/16/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Strategized Case Regarding Obtaining Records From Multnomah County		\$ 30.00		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
 PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
 AND REIMBURSEMENT OF LITIGATION COSTS - 19
 CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
108	5/21/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Strategized Case Regarding Obtaining Records From Multnomah County		\$ 15.00		RW
109	5/22/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer w HSR re no answer (.2); review letter re default (.2)		\$ 170.00		RW
110	5/22/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Mailed And Saved Letter		\$ 15.00		RW
111	5/22/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Reviewed Voicemail; Saved And Reviewed Notice Of Removal	0.40	\$ 15.00	Administrative	RW
112	5/24/2012	Greg Wolk	1.30	\$ 425.00	\$ 552.50	review notice of removal; research law		\$ 552.50		RW
113	5/24/2012	Jason Proctor	1.00	\$ 150.00	\$ 150.00	Reviewed Notice Of Removal; Saved Ecf Documents; Document Management; Legal Research	0.30	\$ 105.00	Administrative	RW
114	5/25/2012	Greg Wolk	0.90	\$ 425.00	\$ 382.50	review Court's rules (.2); confer w HSR re next steps (.7)		\$ 382.50		RW
115	5/29/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	review letter from opposing counsel (.2); confer w HSR (.2)		\$ 170.00		RW
116	5/29/2012	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Reviewed Various Case Filings And Letters From Opposing Counsel		\$ 127.50		RW
117	5/29/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Saved E-Mail And Letter From Opposing Counsel	0.10	\$ -	Administrative	RW
118	5/30/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	review corporate disclosure statement		\$ 85.00		RW
119	6/6/2012	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	Researched Case Issues Regarding Procedures In Federal Court		\$ 850.00		RW
120	6/6/2012	Jason Proctor	0.60	\$ 150.00	\$ 90.00	Saved Notice Of Appearance & Corporation Disclosure Statement; Saved E-Mail From L & I Records		\$ 90.00		RW
121	6/7/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Reviewed Case Status Regarding Eeoc Issues	0.50	\$ -	Relevance	RW
122	6/7/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Teleconference With Client (2); Left Messages For Eeoc; Reviewed & Saved Fax From Eeoc; E-Mailed HSR & Gaw	0.30	\$ 30.00	Administrative	RW
123	6/8/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Teleconference With Eeoc; Faxed Representation Letter	0.40	\$ -	Relevance; Administrative	RW
124	6/11/2012	Hardeep Rekhi	2.90	\$ 425.00	\$ 1,232.50	Reviewed Case Filings And Researched Issue Related To Per Diem; Removal And Records Retrieval		\$ 1,232.50		RW
125	6/12/2012	Hardeep Rekhi	2.10	\$ 425.00	\$ 892.50	Reviewed Case Filings And Researched Issues Relating To Per Diem And Wacs		\$ 892.50		RW
126	6/13/2012	Hardeep Rekhi	1.90	\$ 425.00	\$ 807.50	Reviewed Case Issues And Created Strategy		\$ 807.50		RW
127	6/14/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	review motion to dismiss	0.20	\$ -	Unsuccessful claims	RW
128	6/15/2012	Greg Wolk	1.00	\$ 425.00	\$ 425.00	review motion to dismiss	1.00	\$ -	Unsuccessful claims	RW
129	6/15/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Reviewed Motion To Dismiss	0.50	\$ -	Unsuccessful claims	RW
130	6/15/2012	Jason Proctor	3.00	\$ 150.00	\$ 450.00	Saved Defendant's Motion To Dismiss; Calendared; Strategized Case; Drafted Response To Motion To Dismiss; E-Mail HSR And Gaw(2)	2.50	\$ 75.00	Unsuccessful claims	RW
131	6/16/2012	Greg Wolk	1.40	\$ 425.00	\$ 595.00	research and analyze motion to dismiss	1.40	\$ -	Unsuccessful claims	RW
132	6/19/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review order re initial disclosures, etc.		\$ 127.50		RW
133	6/19/2012	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	Reviewed Court Filings	0.40	\$ -		RW
134	6/19/2012	Hardeep Rekhi	2.20	\$ 425.00	\$ 935.00	Reviewed And Revised Documents; Researched Past Claims; Researched Regarding Motion To Dismiss	0.80	\$ 595.00	Unsuccessful claims	RW
135	6/20/2012	Greg Wolk	3.90	\$ 425.00	\$ 1,657.50	research and draft response to motion to dismiss	3.90	\$ -	Unsuccessful claims	RW
136	6/20/2012	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	Reviewed & Revised Documents; Researched Past Claims; Researched Regarding Motion To Dismiss	1.00	\$ 425.00	Unsuccessful claims	RW
137	6/22/2012	Greg Wolk	5.20	\$ 425.00	\$ 2,210.00	draft response to motion to dismiss	5.20	\$ -	Unsuccessful claims	RW
138	6/23/2012	Greg Wolk	1.00	\$ 425.00	\$ 425.00	revise PRA response documents	1.00	\$ -	Unsuccessful claims	RW
139	6/25/2012	Greg Wolk	3.10	\$ 425.00	\$ 1,317.50	analyze OR Knight case file		\$ 1,317.50		RW
140	6/25/2012	Hardeep Rekhi	3.60	\$ 425.00	\$ 1,530.00	Reviewed And Strategized Draft Response; Researched Regarding The Same	3.60	\$ -	Unsuccessful claims	RW
141	6/25/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved And Reviewed Ecf Documents; Document Management	0.20	\$ -	Administrative	RW
142	6/26/2012	Greg Wolk	5.10	\$ 425.00	\$ 2,167.50	research and revise response to motion to dismiss	5.10	\$ -	Unsuccessful claims	RW
143	6/26/2012	Hardeep Rekhi	3.90	\$ 425.00	\$ 1,657.50	Researched And Reviewed Response	3.90	\$ -	Unsuccessful claims	RW
144	6/26/2012	Jason Proctor	1.10	\$ 150.00	\$ 165.00	Legal Research; Calendared Deadlines	1.10	\$ -	Administrative; Unsuccessful claims	RW
145	6/27/2012	Greg Wolk	3.00	\$ 425.00	\$ 1,275.00	research and revise response to motion to dismiss	3.00	\$ -	Unsuccessful claims	RW
146	6/27/2012	Hardeep Rekhi	4.50	\$ 425.00	\$ 1,912.50	Researched And Reviewed Response	4.50	\$ -	Unsuccessful claims	RW
147	6/27/2012	Hardeep Rekhi	5.50	\$ 425.00	\$ 2,337.50	Drafted Opposition	5.50	\$ -	Unsuccessful claims	RW
148	6/28/2012	Greg Wolk	2.00	\$ 425.00	\$ 850.00	revise HSR sections to response; revise response	2.00	\$ -	Unsuccessful claims	RW
149	6/28/2012	Hardeep Rekhi	4.90	\$ 425.00	\$ 2,082.50	Research, Drafted, Revised And Reviewed Opposition To Motion To Dismiss	4.90	\$ -	Unsuccessful claims	RW
150	6/30/2012	Greg Wolk	1.50	\$ 425.00	\$ 637.50	revise response	1.50	\$ -	Unsuccessful claims	RW
151	7/1/2012	Greg Wolk	1.30	\$ 425.00	\$ 552.50	finalize reponse	1.30	\$ -	Unsuccessful claims	RW
152	7/2/2012	Greg Wolk	3.90	\$ 425.00	\$ 1,657.50	finalize response to motion to dismiss	3.90	\$ -	Unsuccessful claims	RW
153	7/2/2012	Hardeep Rekhi	4.50	\$ 425.00	\$ 1,912.50	Reviewed And Revised Response	4.50	\$ -	Unsuccessful claims	RW
154	7/2/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Edited Response To Motion To Dismiss; E-Filed; E-Mailed Proposed Order To Judge	0.50	\$ -	Unsuccessful claims/Administrative	RW
155	7/3/2012	Hardeep Rekhi	3.50	\$ 425.00	\$ 1,487.50	Finalized Response	3.50	\$ -	Unsuccessful claims	RW
156	7/5/2012	Hardeep Rekhi	1.40	\$ 425.00	\$ 595.00	Strategized Case; Reviewed And Revised Proposed Scheduling Order		\$ 595.00		RW
157	7/5/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Drafted Letter To Opposing Counsel; Mailed And E-Mailed	0.20	\$ 45.00	Administrative	RW
158	7/6/2012	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Reviewed Reply Motion	0.80	\$ -	Unsuccessful claims	RW
159	7/9/2012	Greg Wolk	1.00	\$ 425.00	\$ 425.00	review Knight's reply to motion to dismiss; confer w HSR re same	1.00	\$ -	Unsuccessful claims	RW
160	7/9/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved And Reviewed Reply	0.20	\$ -	Unsuccessful claims	RW
161	7/10/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Reviewed Case Strategy; E-Mailed Opposing Counsel		\$ 212.50		RW
162	7/10/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Saved E-Mail To Opposing Counsel		\$ 15.00		RW
163	7/11/2012	Greg Wolk	0.80	\$ 425.00	\$ 340.00	review drafts for 26(f) conference, report and initial disclosures		\$ 340.00		RW
164	7/11/2012	Jason Proctor	1.80	\$ 150.00	\$ 270.00	Drafted Joint Status Report & Discovery Plan & Initial Disclosures		\$ 270.00		RW
165	7/16/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Legal Research		\$ 60.00		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
166	7/17/2012	Greg Wolk	2.60	\$ 425.00	\$ 1,105.00	confer w counsel re 26(f) (.3); draft report (.5); draft discovery requests (2.0)		\$ 1,105.00		RW
167	7/17/2012	Hardeep Rekhi	1.40	\$ 425.00	\$ 595.00	Reviewed And Prepared For Discovery Conference		\$ 595.00		RW
168	7/17/2012	Jason Proctor	0.60	\$ 150.00	\$ 90.00	Strategized Case; Drafted Discovery Requests		\$ 90.00		RW
169	7/20/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	finalize disclosures and discovery requests		\$ 170.00		RW
170	7/20/2012	Jason Proctor	1.10	\$ 150.00	\$ 165.00	Saved Documents; Reviewed Initial Disclosures; Edited Discovery Requests; Mailed	0.30	\$ 120.00	Administrative	RW
171	7/23/2012	Greg Wolk	0.70	\$ 425.00	\$ 297.50	revise initial disclosures		\$ 297.50		RW
172	7/24/2012	Greg Wolk	1.10	\$ 425.00	\$ 467.50	finalize initial disclosures (.3); review Knight's initial disclosures and discovery requests (.8)		\$ 467.50		RW
173	7/30/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	analyze Knight's initial disclosures/discovery requests and revisions to Joint Status Report		\$ 170.00		RW
174	7/30/2012	Jason Proctor	0.60	\$ 150.00	\$ 90.00	Saved And Reviewed E-Mail From L & I8; E-Mailed L & I(2); Strategized Case; Updated File	0.40	\$ 30.00	Administrative	RW
175	7/31/2012	Greg Wolk	0.80	\$ 425.00	\$ 340.00	revise Joint Status report		\$ 340.00		RW
176	7/31/2012	Hardeep Rekhi	1.30	\$ 425.00	\$ 552.50	Reviewed Joint Status Report; Reviewed Response From Opposing Counsel		\$ 552.50		RW
177	7/31/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Left Message For Feoc; E-Mailed Joint Status Report; E-Filed	0.50	\$ -	Administrative	RW
178	8/2/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w/ HSR and client re next steps		\$ 127.50		RW
179	8/2/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Strategize case with co-counsel re next steps		\$ 212.50		RW
180	8/7/2012	Greg Wolk	0.80	\$ 425.00	\$ 340.00	confer w HSR and client re discovery responses		\$ 340.00		RW
181	8/7/2012	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Strategize w/ co-counsel re discovery responses		\$ 340.00		RW
182	8/8/2012	Greg Wolk	0.50	\$ 425.00	\$ 212.50	review case schedule (.2); confer w HSR and [redact] client (.3)		\$ 212.50		RW
183	8/8/2012	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Strategize w/ re [redact]		\$ 127.50		RW
184	8/9/2012	Jason Proctor	1.40	\$ 150.00	\$ 210.00	Saved And Calendared Minute Order	1.40	\$ -	Administrative	RW
185	8/14/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Saved And Reviewed E-Mail From L & I; Saved And Calendared Documents	0.50	\$ -	Administrative	RW
186	8/15/2012	Greg Wolk	0.80	\$ 425.00	\$ 340.00	confer w HSR re notice of deposition (.2); [redact] client(.1); research FRCP 33 (.5)		\$ 340.00		RW
187	8/15/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	discuss and strategize issues related to notice of deposition and [redact]		\$ 212.50		RW
188	8/16/2012	Greg Wolk	1.20	\$ 425.00	\$ 510.00	confer w HSR and opposing counsel re deposition for client (.7); confer w client re [redacted] (.5)		\$ 510.00		RW
189	8/16/2012	Hardeep Rekhi	1.40	\$ 425.00	\$ 595.00	Strategized Case; Reviewed E-Mail; Teleconference With Client		\$ 595.00		RW
190	8/16/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Teleconference With Client; Strategized Case		\$ 75.00		RW
191	8/17/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Strategized Case		\$ 15.00		RW
192	8/18/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer w client re [redacted]		\$ 85.00		RW
193	8/19/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	analyze next steps w HSR		\$ 85.00		RW
194	8/19/2012	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Determine next steps		\$ 85.00		RW
195	8/20/2012	Greg Wolk	0.60	\$ 425.00	\$ 255.00	confer re deposition dates(.1); review Knight discovery requests (.5)		\$ 255.00		RW
196	8/21/2012	Greg Wolk	0.80	\$ 425.00	\$ 340.00	analyze and draft responses to Knight discovery requests		\$ 340.00		RW
197	8/21/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Reviewed Voicemail; Strategized Case; Teleconference With Opposing Counsel, Edited Discovery		\$ 75.00		RW
198	8/22/2012	Greg Wolk	1.70	\$ 425.00	\$ 722.50	draft and prepare responses to Knight discovery requests(1.4); confer w client (.3)		\$ 722.50		RW
199	8/22/2012	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Reviewed Discovery; Call Client		\$ 425.00		RW
200	8/22/2012	Hardeep Rekhi	2.30	\$ 425.00	\$ 977.50	Reviewed And Revised Discovery Responses		\$ 977.50		RW
201	8/22/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Saved And Reviewed Order; Teleconference With Client; Strategized Case	0.20	\$ 30.00	Administrative	RW
202	8/23/2012	Greg Wolk	3.40	\$ 425.00	\$ 1,445.00	draft and prepare responses to Knight discovery requests (1.8); confer w client(.4); review Knight's responses to our discovery requests (1.2)		\$ 1,445.00		RW
203	8/23/2012	Jason Proctor	3.20	\$ 150.00	\$ 480.00	Strategized Case; Teleconference With Client; Answered Discovery		\$ 480.00		RW
204	8/24/2012	Greg Wolk	1.10	\$ 425.00	\$ 467.50	Finalize responses to discovery requests (.5); review Knight's discovery responses (.3); revise letter to opposing counsel re discovery deficiencies (.3)		\$ 467.50		RW
205	8/24/2012	Jason Proctor	6.00	\$ 150.00	\$ 900.00	Worked On Answering Discovery, Documents Produced, Redacted, Bates Numbered, Edited Letter To Opposing Counsel	1.50	\$ 675.00	Administrative	RW
206	8/27/2012	Hardeep Rekhi	1.60	\$ 425.00	\$ 680.00	Reviewed Letters; Researched Issues; Draft Response To Opposing Counsel		\$ 680.00		RW
207	8/27/2012	Jason Proctor	0.90	\$ 150.00	\$ 135.00	Scanned And Reviewed Documents; Saved And Reviewed Letter From Opposing Counsel	0.90	\$ -	Administrative	RW
208	8/28/2012	Greg Wolk	0.50	\$ 425.00	\$ 212.50	meet and confer re Knight discovery responses		\$ 212.50		RW
209	8/28/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	discuss re Knight discovery responses		\$ 212.50		RW
210	8/30/2012	Jason Proctor	0.60	\$ 150.00	\$ 90.00	Strategized Case; Updated File; Teleconference With Client	0.20	\$ 60.00	Administrative	RW
211	9/4/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved And Reviewed Documents From L&I	0.20	\$ -	Administrative	RW
212	9/6/2012	Greg Wolk	0.50	\$ 425.00	\$ 212.50	confer w client re [redacted]		\$ 212.50		RW
213	9/6/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	discussion w/ client		\$ 212.50		RW
214	9/6/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved And Reviewed L & I Documents	0.20	\$ -	Administrative	RW
215	9/7/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	email opposing counsel re deposition of client		\$ 170.00		RW
216	9/10/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved & Reviewed E-Mail	0.20	\$ -	Administrative	RW

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CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
217	9/11/2012	Jason Proctor	3.20	\$ 150.00	\$ 480.00	Saved And Reviewed E-Mails: Picked Up Cd From Opposing Counsel; Document Management; Reviewed Documents; Strategized Case	0.60	\$ 390.00	Administrative	RW
218	9/12/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Saved & Reviewed E-Mail(2); Strategized Case	0.10	\$ 30.00	Administrative	RW
219	9/13/2012	Greg Wolk	2.00	\$ 425.00	\$ 850.00	Research protective order for deposition(.3); confer w potential co-counsel (1); confer w client re [redacted] (.2); email and finalize confidentiality agreement w opp counsel (.5)		\$ 850.00		RW
220	9/13/2012	Hardeep Rekhi	2.50	\$ 425.00	\$ 1,062.50	confer w potential co-counsel (1)		\$ 1,062.50		RW
221	9/13/2012	Jason Proctor	0.60	\$ 150.00	\$ 90.00	Saved & Reviewed E-Mail From Opposing Counsel; Saved Confidentiality Agreement; Document Management; Strategized Case; Updated File	0.50	\$ 15.00	Administrative	RW
222	9/13/2012	Jason Proctor	1.30	\$ 150.00	\$ 195.00	Meet With Client; Went To Opposing Counsel's Office	0.90	\$ 60.00	Administrative	RW
223	9/13/2012	Toby Marshall	3.10	\$ 475.00	\$ 1,472.50	Telephone conferences with Mr. Rekhi and Mr. Wolk regarding co-counsel arrangement, claims, procedural history, and factual background issues [1.0]; researched and analyzed issues regarding same [.8]; ran conflict check and opened new matter [1.1]; telephone conference with Mr. Keehnell regarding dispute over deposition date [1.1]; telephone conferences with co-counsel regarding same [.3]; researched and analyzed issues regarding same [.5]; analyzed issues regarding protective order and class list [.3]	0.10	\$ 1,425.00	Administrative	TM
224	9/14/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	Telephone call with co-counsel regarding case strategy issues		\$ 170.00		RW
225	9/14/2012	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	Telephone call with co-counsel regarding case strategy issues		\$ 170.00		RW
226	9/14/2012	Jason Proctor	1.40	\$ 150.00	\$ 210.00	Reviewed E-Mail; Saved Class List; Strategized Case; Reviewed E-Mail From Co-Counsel; E-Mailed PRA Documents To Co-Counsel; Reviewed And Saved E-Mail; Drafted Motion For Protective Order, Declaration, Proposed Order; Document Management	1.00	\$ 60.00	Administrative	RW
227	9/14/2012	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Retrieved pleadings from King County Superior Court.	0.30	\$ -	Administrative	TM
228	9/14/2012	Eden Nordby	1.50	\$ 150.00	\$ 225.00	Worked on converting class list to Excel spreadsheet [1]; worked on Accurint searches; email regarding same [.5]		\$ 225.00		TM
229	9/14/2012	Hannah Buckendorf	1.80	\$ 50.00	\$ 90.00	Performed Accurint searches on potential class members.		\$ 90.00		TM
230	9/14/2012	Toby Marshall	3.20	\$ 475.00	\$ 1,520.00	Telephone calls from co-counsel regarding case strategy issues [4]; researched and analyzed issues regarding protective order motion for deposition of plaintiff [1.8]; worked on same [1.0]		\$ 1,520.00		TM
231	9/16/2012	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Reviewed materials from records requests to DLJ [.2]		\$ 95.00		TM
232	9/17/2012	Greg Wolk	3.20	\$ 425.00	\$ 1,360.00	review class list and prepare script for class member interviews (1.3); confer w co-counsel (1.5)		\$ 1,360.00		RW
233	9/17/2012	Hardeep Rekhi	2.90	\$ 425.00	\$ 1,232.50	confer w co-counsel; review class member interview script; confer re the same		\$ 1,232.50		RW
234	9/17/2012	Hannah Buckendorf	2.00	\$ 50.00	\$ 100.00	Perform Accurint Searches for potential class members.		\$ 100.00		TM
235	9/17/2012	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Telephone conference with co-counsel regarding legal and factual background issues and worked on same [1.5]		\$ 712.50		TM
236	9/18/2012	Greg Wolk	1.50	\$ 425.00	\$ 637.50	call class members (1.5)		\$ 637.50		RW
237	9/18/2012	Hannah Buckendorf	2.00	\$ 50.00	\$ 100.00	Performed Accurint Advanced Person search.		\$ 100.00		TM
238	9/18/2012	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Worked on outline for witness interviews [4]; email correspondence with co-counsel regarding witness calls [1.1]		\$ 237.50		TM
239	9/19/2012	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Worked on class member calls [7.7]		\$ 332.50		TM
240	9/20/2012	Greg Wolk	5.30	\$ 425.00	\$ 2,252.50	call class members (4.1); draft [redacted] (.4); confer with co-counsel (.8)		\$ 2,252.50		RW
241	9/20/2012	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	confer with co-counsel (.8)		\$ 340.00		RW
242	9/20/2012	Eden Nordby	0.80	\$ 150.00	\$ 120.00	Revised class list to send to vendor [.5]; email to vendor regarding request for class list searches [.3]		\$ 120.00		TM
243	9/20/2012	Toby Marshall	2.00	\$ 475.00	\$ 950.00	Worked on class list updates [1.1]; worked on class member calls [1.1]; telephone conference with co-counsel regarding same and case strategy issues [.8]		\$ 950.00		TM
244	9/21/2012	Greg Wolk	2.20	\$ 425.00	\$ 935.00	call class members		\$ 935.00		RW
245	9/21/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Strategized Case		\$ 30.00		RW
246	9/21/2012	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Correspondence regarding class list project.		\$ 30.00		TM
247	9/21/2012	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Worked on [redacted] and email correspondence with co-counsel regarding same [2.2]; worked on class member calls [9]		\$ 522.50		TM
248	9/22/2012	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Worked on class member calls [6]		\$ 285.00		TM
249	9/24/2012	Greg Wolk	1.10	\$ 425.00	\$ 467.50	confer w co-counsel re [redacted]		\$ 467.50		RW
250	9/25/2012	Greg Wolk	1.80	\$ 425.00	\$ 765.00	call class members (1.3); confer w co-counsel (.5)		\$ 765.00		RW
251	9/25/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	confer w/ TM		\$ 212.50		RW
252	9/25/2012	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Worked on class member calls [7.7]; telephone conference with co-counsel regarding same [4]; email correspondence with co-counsel regarding class list and motion to amend complaint [1.1]		\$ 570.00		TM
253	9/26/2012	Greg Wolk	0.90	\$ 425.00	\$ 382.50	call class members (.6); confer re [redacted] (.3)		\$ 382.50		RW
254	9/26/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Teleconference With Opposing Counsel(2)		\$ 30.00		RW
255	9/27/2012	Greg Wolk	1.00	\$ 425.00	\$ 425.00	confer w client (.2); confer w co-counsel(.2); call class members (.6)		\$ 425.00		RW
256	9/27/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Saved And Reviewed Response To Motion; Drafted Notice Of Withdrawal; Drafted Motion For Protective Order	0.20	\$ 45.00	Administrative	RW
257	9/28/2012	Greg Wolk	3.30	\$ 425.00	\$ 1,402.50	call class members (2.6); confer w co-counsel (.7)		\$ 1,402.50		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 22
CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
258	9/28/2012	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	confer w co-counsel		\$ 297.50		RW
259	9/28/2012	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with co-counsel regarding agreement with defense counsel on class representative issue and related discovery deadlines [1]; analyzed issues regarding same [1].		\$ 95.00		TM
260	10/1/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	call class members		\$ 127.50		RW
261	10/1/2012	Eden Nordby	0.30	\$ 150.00	\$ 45.00	Worked on docketing case scheduling order.		\$ 45.00		TM
262	10/1/2012	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Worked on class member calls and email correspondence with co-counsel regarding same [1.1].		\$ 522.50		TM
263	10/1/2012	Torrie Marshall	0.30	\$ 100.00	\$ 30.00	Worked on docketing case scheduling order.	0.30	\$ -	Administrative	TM
264	10/2/2012	Greg Wolk	1.90	\$ 425.00	\$ 807.50	call class members (1.3); confer w co-counsel re [redacted] (.6)		\$ 807.50		RW
265	10/2/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Legal Research		\$ 75.00		RW
266	10/2/2012	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Worked on class member calls [9].		\$ 427.50		TM
267	10/3/2012	Greg Wolk	2.60	\$ 425.00	\$ 1,105.00	call class members (1.5); confer w co-counsel (.3); research claims compare with notes from calls (.8)		\$ 1,105.00		RW
268	10/4/2012	Greg Wolk	1.80	\$ 425.00	\$ 765.00	call class members (1.4); confer w co-counsel (.4)		\$ 765.00		RW
269	10/4/2012	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	confer w/ TM		\$ 170.00		RW
270	10/4/2012	Toby Marshall	2.20	\$ 475.00	\$ 1,045.00	Analyzed issues regarding class member calls and legal claims [2]; researched and analyzed issues regarding legal claims and factual background issues [7]; telephone conference with co-counsel regarding same and case strategy [5]; worked on class member calls [8].		\$ 1,045.00		TM
271	10/5/2012	Greg Wolk	3.20	\$ 425.00	\$ 1,360.00	meet w [redacted] (2.2); confer w co-counsel re next steps (.2); analyze claims (.6)		\$ 1,360.00		RW
272	10/5/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	E-Mailed Discovery; Edited Class Agreement; Mailed	0.20	\$ -	Administrative	RW
273	10/5/2012	Toby Marshall	2.70	\$ 475.00	\$ 1,282.50	Email correspondence with co-counsel regarding meeting with Mr. Bodily [1]; to Bellevue for meeting with Mr. Bodily and return from same [2.4]; worked on document management issues [2].		\$ 1,282.50		TM
274	10/8/2012	Toby Marshall	2.40	\$ 475.00	\$ 1,140.00	Worked on class member calls [2.4].		\$ 1,140.00		TM
275	10/9/2012	Greg Wolk	3.70	\$ 425.00	\$ 1,572.50	call class members (.7); meet w [redacted] (2.4); confer w co-counsel (.2); analyze claims (.4)		\$ 1,572.50		RW
276	10/9/2012	Hardeep Rekhi	3.20	\$ 425.00	\$ 1,360.00	confer w co-counsel; meet with [redacted]		\$ 1,360.00		RW
277	10/9/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Document Management For Notice Of Association And Representation Agreement	0.20	\$ -	Administrative	RW
278	10/9/2012	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft of and finalized Marshall notice of association of counsel [2]; arranged filing and service [1].		\$ 30.00		TM
279	10/9/2012	Toby Marshall	4.00	\$ 475.00	\$ 1,900.00	Email correspondence with co-counsel regarding class member interviews [1]; analyzed issues regarding same [1]; worked on representation agreement for [redacted] and email correspondence with [redacted] regarding same [3]; ran conflict checks for potential class representatives [1]; to Spanaway for meeting with co-counsel and Mr. Helde [3.4].		\$ 1,900.00		TM
280	10/10/2012	Greg Wolk	2.00	\$ 425.00	\$ 850.00	meet w client (1.2); analyze claims (.8)		\$ 850.00		RW
281	10/10/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	E-Mailed Representation Agreement; Document Management	0.40	\$ -	Administrative	RW
282	10/10/2012	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Message from Ms. Clifford regarding factual background issues [1]; analyzed issues regarding and email correspondence with co-counsel regarding Jon Bodily's documents [1]; worked on case strategy issues [1].		\$ 142.50		TM
283	10/11/2012	Greg Wolk	1.20	\$ 425.00	\$ 510.00	analyze claims		\$ 510.00		RW
284	10/11/2012	Jason Proctor	0.80	\$ 150.00	\$ 120.00	Saved And Reviewed E-Mails[2]; Document Management; E-Mailed Client	0.80	\$ -	Administrative	RW
285	10/12/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Saved And Reviewed Letter; Document Management For Client Documents	0.40	\$ -	Administrative	RW
286	10/15/2012	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Researched and analyzed issues regarding legal claims and factual background [8].		\$ 380.00		TM
287	10/16/2012	Toby Marshall	3.80	\$ 475.00	\$ 1,805.00	Worked on factual background issues [3]; telephone call from Mr. Tena regarding same [5]; drafted representation agreement for Mr. Tena [2]; to Tacoma to meet with Mr. Tena [7]; meeting with Mr. Tena regarding factual background issues [1.2]; returned from same [9].		\$ 1,805.00		TM
288	10/17/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	review email from co-counsel [1]; discuss next steps (.1)		\$ 85.00		RW
289	10/17/2012	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Analyzed issues regarding claims of Mr. Tena [1]; drafted email to co-counsel regarding same [4]; worked on factual background issues [3].		\$ 380.00		TM
290	10/18/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Edited Agreement; Emailed To Co-Counsel	0.10	\$ 15.00	Administrative	RW
291	10/18/2012	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Worked on finalizing representation agreement for Mr. Tena [1].		\$ 47.50		TM
292	10/19/2012	Toby Marshall	2.80	\$ 475.00	\$ 1,330.00	Worked on complaint and researched and analyzed issues regarding same [2.8].		\$ 1,330.00		TM
293	10/22/2012	Greg Wolk	1.90	\$ 425.00	\$ 807.50	revise amended complaint (1.2); confer w co-counsel re next steps (.3); email opposing counsel (.2)		\$ 807.50		RW
294	10/23/2012	Greg Wolk	1.30	\$ 425.00	\$ 552.50	revise supp discovery production (1.0); confer w client re same (.3)		\$ 552.50		RW
295	10/23/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed E-Mail	0.10	\$ -	Administrative	RW
296	10/23/2012	Eden Nordby	0.30	\$ 150.00	\$ 45.00	Worked on document review.	0.30	\$ -	Administrative	TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 23
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
297	10/23/2012	Toby Marshall	2.20	\$ 475.00	\$ 1,045.00	Email correspondence with co-counsel regarding discovery issues [1]; worked on discovery issues [1.6]; telephone conference with co-counsel regarding same and factual background and case strategy issues [4]; telephone conference with Mr. Tena regarding factual background issues [1].		\$ 1,045.00		TM
298	10/24/2012	Greg Wolk	1.70	\$ 425.00	\$ 722.50	revise supp discovery production (1.2); confer w clients re same (.5)		\$ 722.50		RW
299	10/24/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed E-Mail And Discovery		\$ 15.00		RW
300	10/24/2012	Eden Nordby	4.60	\$ 150.00	\$ 690.00	Worked on document production; commenced document review and index.		\$ 690.00		TM
301	10/24/2012	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Worked on discovery issues [4].		\$ 190.00		TM
302	10/25/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Reviewed E-Mails; Document Management; Teleconference With Co-Counsel	0.20	\$ 30.00	Administrative	RW
303	10/25/2012	Jason Proctor	2.90	\$ 150.00	\$ 435.00	Document Management; Finalized, Burnt Cd; E-Mailed; E-Mail Co-Counsel	2.60	\$ 45.00	Administrative	RW
304	10/25/2012	Eden Nordby	6.20	\$ 150.00	\$ 930.00	Worked on document review and production index [4.5]; worked on document production [7]; finalized discovery responses [1].		\$ 930.00		TM
305	10/26/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review client documents		\$ 127.50		RW
306	10/26/2012	Katie Lohr	0.50	\$ 90.00	\$ 45.00	Delivered Documents To Opposing Counsel	0.50	\$ -	Administrative	RW
307	10/26/2012	Eden Nordby	0.50	\$ 150.00	\$ 75.00	Forwarded discovery responses and production to co-counsel for service on Defendants [3]; worked on file organization [2]		\$ 75.00		TM
308	10/29/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Delivered Appendix A; Updated File	0.50	\$ -	Administrative	RW
309	10/29/2012	Eden Nordby	1.00	\$ 150.00	\$ 150.00	Worked on appendix to supplemental discovery responses.		\$ 150.00		TM
310	10/29/2012	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on issues regarding first supplemental responses to defendant's discovery requests [2].		\$ 95.00		TM
311	10/30/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer w co-counsel re [redacted] (.2); draft disengagement letter (.2)	0.20	\$ 85.00	Relevance	RW
312	10/30/2012	Jason Proctor	0.70	\$ 150.00	\$ 105.00	Strategized Case; Disengaged Aziz	0.40	\$ 45.00	Relevance	RW
313	10/30/2012	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Email correspondence and telephone conference with with co-counsel regarding discovery and case strategy issues [3]; analyzed issues and left message with opposing counsel regarding same [2].		\$ 237.50		TM
314	10/31/2012	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w co-counsel on amending complaint		\$ 127.50		RW
315	10/31/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Finalized, mailed and E-Mailed Letters To Aziz And OSHA	0.50	\$ -	Relevance/Administrative	RW
316	10/31/2012	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding withdrawal of representation of Mr. Aziz [1].	0.10	\$ -	Relevance	TM
317	11/1/2012	Greg Wolk	1.30	\$ 425.00	\$ 552.50	analyze seeking leave to amend complaint (.5); confer with co-counsel re same (.8)		\$ 552.50		RW
318	11/1/2012	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	confer with co-counsel re seeking leave to amend complaint		\$ 340.00		RW
319	11/1/2012	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Worked on case strategy and motion to amend complaint [4]		\$ 140.00		TM
320	11/1/2012	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Analyzed issues regarding case strategy and email correspondence with co-counsel regarding same [3]; telephone conference with co-counsel regarding same and worked on amended complaint [8].		\$ 522.50		TM
321	11/2/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	meet w client re case status and scheduling deposition		\$ 85.00		RW
322	11/5/2012	Greg Wolk	0.50	\$ 425.00	\$ 212.50	analyze amending complaint and supplementing discovery		\$ 212.50		RW
323	11/5/2012	Erika Nusser	2.30	\$ 350.00	\$ 805.00	Emails regarding case strategy issues [2]; voicemail and telephone conference with Mr. Tena regarding [redacted] [2]; telephone conference with Mr. Wolk regarding [redacted] [2]; worked on motion to amend complaint [1.7]		\$ 805.00		TM
324	11/6/2012	Bradford Kinsey	0.90	\$ 100.00	\$ 90.00	Prepared draft of plaintiff's motion for leave to amend complaint [3]; prepared draft of Wolk declaration in support of motion for leave to amend complaint [2]; prepared draft of Marshall declaration in support of motion to amend complaint [2]; prepared draft of proposed order granting leave to amend complaint [2].		\$ 90.00		TM
325	11/6/2012	Erika Nusser	6.70	\$ 350.00	\$ 2,345.00	Worked on case strategy issues [3]; worked on motion to amend complaint and supporting documents [4.4]; researched relation back and statute of limitations issues [2]		\$ 2,345.00		TM
326	11/6/2012	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Telephone conference with opposing counsel regarding addition of named complaints and discovery issues [2]; analyzed issues and email correspondence with co-counsel regarding same [3]; worked on amended complaint [2].		\$ 332.50		TM
327	11/7/2012	Greg Wolk	1.20	\$ 425.00	\$ 510.00	analyze amended complaint and draft motion to amend complaint		\$ 510.00		RW
328	11/7/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Document Management Regarding Jon Bodily Documents	0.40	\$ -	Administrative	RW
329	11/7/2012	Erika Nusser	6.20	\$ 350.00	\$ 2,170.00	Continued research regarding relation back of claims and drafted memo regarding the same [3.4]; voicemail for Mr. Tena [1]; worked on factual issues [2]; worked on motion to amend complaint [2.5]		\$ 2,170.00		TM
330	11/8/2012	Greg Wolk	1.00	\$ 425.00	\$ 425.00	analyze and revise motion to amend complaint		\$ 425.00		RW
331	11/8/2012	Hardeep Rekhi	2.10	\$ 425.00	\$ 892.50	Reviewed Issues Regarding Amended Complaint		\$ 892.50		RW
332	11/8/2012	Jason Proctor	4.80	\$ 150.00	\$ 720.00	Edited Motion To Amend Complaint; Declarations; Proposed Order & Exhibits; E-Filed; E-Mailed Proposed Order	4.00	\$ 120.00	Administrative	RW
333	11/8/2012	Erika Nusser	6.90	\$ 350.00	\$ 2,415.00	Worked on case strategy issues and motion to amend complaint [7]; case strategy conferences regarding amended complaint [4]; worked on motion to amend complaint and supporting documents, and revisions thereto [2.5]; worked on amended complaint and revisions thereto. [3.3]		\$ 2,415.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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AND REIMBURSEMENT OF LITIGATION COSTS - 24
CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
334	11/8/2012	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Worked on amended complaint (.5).		\$ 237.50		TM
335	11/9/2012	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	Reviewed Issues Regarding Amended Complaint		\$ 850.00		RW
336	11/12/2012	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Sent E-Mail Regarding Discovery Issues		\$ 42.50		RW
337	11/12/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Updated File	0.20	\$ -	Administrative	RW
338	11/12/2012	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
339	11/12/2012	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Voicemail and telephone conference with Mr. Tena (.2)		\$ 70.00		TM
340	11/12/2012	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding production of Mr. Tena's documents; email correspondence with co-counsel regarding response from opposing counsel to amended complaint proposal; analyzed issues regarding same and deposition scheduling (.2).		\$ 95.00		TM
341	11/13/2012	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone conference with Mr. Tena regarding [redacted] and email correspondence with co-counsel regarding same and case strategy issues (.2); left message with opposing counsel regarding same (.1).		\$ 142.50		TM
342	11/13/2012	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
343	11/14/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Confer with co-counsel regarding case strategy and class cert		\$ 85.00		RW
344	11/14/2012	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Confer with co-counsel regarding case strategy and class cert		\$ 85.00		RW
345	11/14/2012	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Reviewed E-Mails Regarding Discovery		\$ 85.00		RW
346	11/14/2012	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone call from co-counsel regarding case strategy and class certification issues (.2); exchanged messages with opposing counsel regarding amended complaint and plaintiff depositions (.1).		\$ 142.50		TM
347	11/15/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Followed-Up On Discovery		\$ 212.50		RW
348	11/15/2012	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with opposing counsel regarding discovery issues (.1); worked on same (.1).		\$ 95.00		TM
349	11/16/2012	Greg Wolk	1.90	\$ 425.00	\$ 807.50	review and analyze client docs (.4); confer w clients re docs and depositions (.4); review email by co-counsel re amended complaint and next steps (.1); confer w co-counsel re amended complaint, discovery, and deposition issues (1.0)		\$ 807.50		RW
350	11/16/2012	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	confer w co-counsel re amended complaint, discovery, and deposition issues ; follow up re the same		\$ 850.00		RW
351	11/16/2012	Jason Proctor	1.00	\$ 150.00	\$ 150.00	Strategized Case; Left Message For John Bodily; Left Message For Kevin Helde; Reviewed E-Mail From Co-Counsel; Edited W-9; E-Mailed Opposing Counsel; Teleconference With Jon Bodily; Teleconference With Kevin Helde; E-Mails HSR, Gaw And Tm	0.80	\$ 30.00	Administrative	RW
352	11/16/2012	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding amended complaint and discovery issues (.2)		\$ 70.00		TM
353	11/16/2012	Toby Marshall	2.50	\$ 475.00	\$ 1,187.50	Prepared for and participated in telephone conference with opposing counsel regarding amended complaint, discovery, and deposition issues (.3); telephone conferences with co-counsel regarding same (1.0); researched and analyzed issues regarding same (.8); drafted email to opposing counsel regarding same (.4).		\$ 1,187.50		TM
354	11/19/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer on withdrawing complaint, subbing parties'		\$ 85.00		RW
355	11/19/2012	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	worked on withdrawing complaint and adding parties		\$ 85.00		RW
356	11/19/2012	Eden Nordby	0.80	\$ 150.00	\$ 120.00	Worked on notice of withdrawal of motion; filed and served same.	0.40	\$ 60.00	Efficiency	TM
357	11/19/2012	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Email correspondence with opposing counsel and co-counsel regarding withdrawal of motion to file amended complaint (.1); analyzed issues and email correspondence with co-counsel regarding same (.2).		\$ 142.50		TM
358	11/20/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	analyze final amendments to complaint		\$ 85.00		RW
359	11/20/2012	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	Strategized Case; discuss w/ Co-Counsel; follow up research		\$ 467.50		RW
360	11/20/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Document Management; E-Mailed Amended Complaint	0.20	\$ -	Administrative	RW
361	11/20/2012	Eden Nordby	1.50	\$ 150.00	\$ 225.00	Finalized and formatted amended complaint; filed and served same; telephone conference with clerk regarding amended complaint.		\$ 225.00		TM
362	11/20/2012	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Analyzed issues regarding filing of amended complaint and email correspondence with co-counsel regarding same (.2); telephone conference with Mr. Tena regarding [redacted] (.1); analyzed issues regarding same (.1); email to opposing counsel regarding same and deadline for class certification filing (.1).		\$ 237.50		TM
363	11/21/2012	Hardeep Rekhi	2.30	\$ 425.00	\$ 977.50	Reviewed Discovery Issues; Reviewed Discovery Regarding Clients		\$ 977.50		RW
364	11/21/2012	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Document Management With Edf & Letter; E-Mail To Co-Counsel	0.40	\$ -	Administrative	RW
365	11/26/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Confer w. co-counsel re discovery and class cert issues		\$ 85.00		RW
366	11/26/2012	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Confer w. co-counsel re discovery and class cert issues		\$ 85.00		RW
367	11/26/2012	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Telephone call from Mr. Tena regarding [redacted] (.1); analyzed issues regarding same (.2); email correspondence and telephone conference with co-counsel regarding discovery and class certification issues (.2); email correspondence with opposing counsel regarding same (.1).		\$ 285.00		TM
368	11/27/2012	Greg Wolk	0.90	\$ 425.00	\$ 382.50	review discovery from Knight (.5); contact clients and discuss dep prep and timing issues with co-counsel (.4)		\$ 382.50		RW
369	11/27/2012	Hardeep Rekhi	3.90	\$ 425.00	\$ 1,657.50	Reviewed Case Material And Discovery Produced		\$ 1,657.50		RW
370	11/27/2012	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Worked on document production and deposition scheduling issues and telephone conference with opposing counsel regarding same (.9).		\$ 427.50		TM
371	11/28/2012	Greg Wolk	0.20	\$ 425.00	\$ 85.00	analyze discovry produced		\$ 85.00		RW
372	11/28/2012	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Reviewed Discovery Issues		\$ 212.50		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 25
CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
373	11/28/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed E-Mails; Document Management; E-Mails Clients	0.20	\$ -	Administrative	RW
374	11/29/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	Speak with clients about depositions (.2); review discovery (.2)		\$ 170.00		RW
375	11/29/2012	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Strategized Case; Teleconference With Jon Bodily And Kevin Helde; E-Mailed Clients Regarding The Same	0.30	\$ 30.00	Administrative	RW
376	11/29/2012	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
377	11/29/2012	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Forwarded deposition documents to Mr. Tena.		\$ 30.00		TM
378	11/29/2012	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone conference with Mr. Tena regarding [redacted] [1]; worked on docketing issues and scheduling of preparation for same [2].		\$ 142.50		TM
379	12/4/2012	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Left message with Mr. Tena regarding [redacted] [1].		\$ 47.50		TM
380	12/5/2012	Hardeep Rekhi	1.90	\$ 425.00	\$ 807.50	Reviewed Deadlines; Prepared For Deposition		\$ 807.50		RW
381	12/5/2012	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding case strategy issues [2]		\$ 70.00		TM
382	12/5/2012	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding class certification deadline and email correspondence with co-counsel and opposing counsel regarding same [2].		\$ 95.00		TM
383	12/5/2012	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Telephone call from opposing counsel regarding discovery issues and extension of class certification deadline [4]; analyzed issues regarding same [1].		\$ 237.50		TM
384	12/6/2012	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Reviewed Document Production; prep for dep		\$ 340.00		RW
385	12/6/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Document Management	0.30	\$ -	Administrative	RW
386	12/6/2012	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Worked on discovery issues [8]; telephone conference with opposing counsel regarding same [6].		\$ 665.00		TM
387	12/7/2012	Greg Wolk	0.80	\$ 425.00	\$ 340.00	analyze answer		\$ 340.00		RW
388	12/7/2012	Hardeep Rekhi	2.30	\$ 425.00	\$ 977.50	Reviewed Documents Regarding Depositions; E-Mail Correspondence With Co-Counsel		\$ 977.50		RW
389	12/7/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Strategized Case; E-Mailed Co-Counsel; Burned Cd	0.20	\$ 15.00	Administrative	RW
390	12/7/2012	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding case strategy issues [2]		\$ 70.00		TM
391	12/7/2012	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Worked on discovery issues [4].		\$ 190.00		TM
392	12/10/2012	Greg Wolk	0.60	\$ 425.00	\$ 255.00	confer w co-counsel re document production and timing with discovery motion deadlines		\$ 255.00		RW
393	12/10/2012	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	Teleconference Regarding Discovery		\$ 297.50		RW
394	12/10/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Document Management; Teleconference With Helde And Bodily; E-Mailed Bodily	0.20	\$ 15.00	Administrative	RW
395	12/10/2012	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
396	12/10/2012	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Prepared for and participated in telephone conference with co-counsel and opposing counsel regarding Knight's document production, deposition scheduling, and class certification issues [9]; worked on issues and email correspondence with co-counsel and opposing counsel regarding same [5].		\$ 665.00		TM
397	12/11/2012	Greg Wolk	1.60	\$ 425.00	\$ 680.00	analyze preemption (.5); confer with co-counsel re legal claims and factual background (1.1)		\$ 680.00		RW
398	12/11/2012	Hardeep Rekhi	4.00	\$ 425.00	\$ 1,700.00	Reviewed Discovery In Preparing Of Deposition (2.9); confer with co-counsel re issues regarding legal claims and factual background (1.1)		\$ 1,700.00		RW
399	12/11/2012	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Telephone call from Mr. Tena regarding [redacted] [1]; researched and analyzed issues regarding legal claims and factual background and telephone conferences with co-counsel regarding same [1.1].		\$ 570.00		TM
400	12/12/2012	Greg Wolk	5.30	\$ 425.00	\$ 2,252.50	analyze notes from witness driver (.4); confer w co-counsel re same (.3); dep prep w client (3.6); analyze claims (1)	0.50	\$ 2,040.00	Unsuccessful claims	RW
401	12/12/2012	Hardeep Rekhi	7.50	\$ 425.00	\$ 3,187.50	Reviewed Discovery; Met With Client; Prepared For Deposition	1.10	\$ 2,720.00	Unsuccessful claims	RW
402	12/12/2012	Jennifer Boschen	0.90	\$ 150.00	\$ 135.00	Telephone conference with class member and drafted summary regarding same [9].		\$ 135.00		TM
403	12/12/2012	Toby Marshall	6.90	\$ 475.00	\$ 3,277.50	Reviewed documents produced by Knight and analyzed issues regarding factual background [2.9]; meeting with co-counsel and clients regarding factual background issues and preparation for depositions [3.6]; analyzed issues regarding class certification and witness interviews [4].	1.00	\$ 2,802.50	Unsuccessful claims	TM
404	12/13/2012	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	Reviewed Discovery; E-Mail Correspondence With Co-Counsel		\$ 850.00		RW
405	12/13/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Saved And Reviewed E-Mail And Documents; Saved And Reviewed Amended Notice Of Deposition; E-Mailed To Client	0.30	\$ -	Administrative	RW
406	12/13/2012	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved And Reviewed Letter And Uploaded Documents; E-Mailed To Co-Counsel	0.20	\$ -	Administrative	RW
407	12/13/2012	Eden Nordby	0.60	\$ 150.00	\$ 90.00	Worked on document production [2]; updated caption [2]; letter to opposing counsel regarding document production [2].		\$ 90.00		TM
408	12/13/2012	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Worked on discovery issues and email correspondence with co-counsel and opposing counsel regarding same [4].		\$ 190.00		TM
409	12/14/2012	Jason Proctor	3.30	\$ 150.00	\$ 495.00	Strategized Case; Legal Research; Records Management; Converted Documents; E-Mailed Gaw & HSR; Reviewed E-Mail From Gaw	1.30	\$ 300.00	Administrative	RW
410	12/14/2012	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.		\$ 15.00		TM
411	12/17/2012	Greg Wolk	1.80	\$ 425.00	\$ 765.00	analyze similar wage and actions cases and Knight claims chart (.4); confer w co-counsel re legal claims and factual background (1.6)	0.10	\$ 722.50	Unsuccessful claims	RW
412	12/17/2012	Hardeep Rekhi	7.80	\$ 425.00	\$ 3,315.00	Reviewed Various Materials For Deposition (6.2); confer w co-counsel re legal claims and factual background (1.6)		\$ 3,315.00		RW

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413	12/17/2012	Jason Proctor	2.70	\$ 150.00	\$ 405.00	Legal Research; Teleconference With Aziz	1.00	\$ 255.00	Relevance/Efficiency	RW
414	12/17/2012	Toby Marshall	2.00	\$ 475.00	\$ 950.00	Reviewed documents produced by Knight [.1]; reviewed materials from related case in CA [.1]; researched and analyzed issues regarding legal claims and factual background and telephone conference with co-counsel regarding same [.1.8].		\$ 950.00		TM
415	12/17/2012	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
416	12/18/2012	Greg Wolk	1.70	\$ 425.00	\$ 722.50	review discovery produced and similar case pleadings (.9); meet with co-counsel and client regarding factual background issues (.8)		\$ 722.50		RW
417	12/18/2012	Hardeep Rekhi	8.80	\$ 425.00	\$ 3,740.00	Prepared For And Defended Deposition (8); meet with co-counsel and client regarding factual background issues (.8)	1.30	\$ 3,187.50	Unsuccessful claims	RW
418	12/18/2012	Jason Proctor	1.10	\$ 150.00	\$ 165.00	Legal Research; Document Management	0.80	\$ 45.00	Administrative/Efficiency	RW
419	12/18/2012	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Analyzed related litigation [.5]	0.50	\$ -	Relevance	TM
420	12/18/2012	Toby Marshall	9.50	\$ 475.00	\$ 4,512.50	Meeting with Mr. Tena in preparation for deposition [.7]; traveled to and defended Mr. Tena's deposition and returned from same [.8.0]; meeting with co-counsel and client regarding factual background issues [.8].	1.40	\$ 3,847.50	Unsuccessful claims	TM
421	12/19/2012	Greg Wolk	1.10	\$ 425.00	\$ 467.50	review discovery and similar pleadings/motions (.3); meeting with co-counsel and client re factual background issues (.8)		\$ 467.50		RW
422	12/19/2012	Hardeep Rekhi	9.50	\$ 425.00	\$ 4,037.50	Prepared For And Defended Deposition (8.7); meeting with co-counsel and client re factual background issues (.8)	1.40	\$ 3,442.50	Unsuccessful claims	RW
423	12/19/2012	Jason Proctor	2.50	\$ 150.00	\$ 375.00	Strategized Case; Legal Research; Reviewed E-Mail; E-Mailed HSR; Document Management Regarding Protective Order And Defendant's Documents	2.20	\$ 45.00	Administrative	RW
424	12/19/2012	Katie Lohr	5.30	\$ 90.00	\$ 477.00	Produced; Teleconference With Kevin Helde	2.50	\$ 252.00	Efficiency	RW
425	12/19/2012	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Legal Research		\$ 175.00		TM
						Researched factual issues for subpoena to Qualcomm [.5]				
426	12/19/2012	Toby Marshall	9.60	\$ 475.00	\$ 4,560.00	Meeting with Mr. Bodily in preparation for deposition [.5]; traveled to and defended Mr. Bodily's deposition and returned from same [.8.3]; meeting with co-counsel and Mr. Bodily regarding factual background issues [.8].	1.40	\$ 3,895.00	Unsuccessful claims	TM
427	12/20/2012	Greg Wolk	0.70	\$ 425.00	\$ 297.50	Meet with co-counsel and client re factual background issues	0.70	\$ -		RW
428	12/20/2012	Hardeep Rekhi	8.20	\$ 425.00	\$ 3,485.00	Defended Deposition (7.5); Meet with co-counsel and client re factual background issues (.7)	1.20	\$ 2,975.00	Unsuccessful claims	RW
429	12/20/2012	Jason Proctor	3.20	\$ 150.00	\$ 480.00	Document Management Regarding Exhibits	3.20	\$ -	Administrative	RW
430	12/20/2012	Bradford Kinsey	1.10	\$ 100.00	\$ 110.00	Prepared draft of subpoena to produce documents directed to Qualcomm, Inc. [.3]; prepared draft of associated Exhibit A [.4]; prepared draft of declaration of records custodian [.2]; prepared draft of declaration of service [.2].		\$ 110.00		TM
431	12/20/2012	Erika Nusser	1.70	\$ 350.00	\$ 595.00	Analyzed discovery responses and production, and worked on subpoena to Qualcomm [.1.7]		\$ 595.00		TM
432	12/20/2012	Toby Marshall	8.10	\$ 475.00	\$ 3,847.50	Telephone call from Mr. Helde regarding deposition attendance and email to opposing counsel regarding same [.1]; traveled to and defended Mr. Helde's deposition and returned from same [.7.3]; meeting with Mr. Helde and co-counsel regarding factual background issues [.7].	1.20	\$ 3,277.50	Unsuccessful claims	TM
433	12/21/2012	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	Reviewed E-Mail And Correspondence; Discussed Case Status		\$ 382.50		RW
434	12/21/2012	Jason Proctor	1.00	\$ 150.00	\$ 150.00	Document Management Regarding Exhibits; E-Mailed Co-Counsel	1.00	\$ -	Administrative	RW
435	12/21/2012	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Saved And Reviewed Stipulation And Proposed Order	0.10	\$ -	Administrative	RW
436	12/21/2012	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding stipulated protective order [.2]		\$ 70.00		TM
437	12/21/2012	Sharon Safarik	0.40	\$ 225.00	\$ 90.00	Discussed new research assignment.	0.20	\$ 45.00	Efficiency	TM
438	12/21/2012	Toby Marshall	1.30	\$ 475.00	\$ 617.50	Worked on outline of claims/issues and research projects to complete before class certification [.8]; reviewed proposed confidentiality agreement, analyzed issues regarding same, and email correspondence with co-counsel regarding same [.3]; email correspondence opposing counsel regarding discovery production issues [.1]; email correspondence with opposing counsel regarding briefing schedule for class certification [.1].		\$ 617.50		TM
439	12/26/2012	Bradford Kinsey	0.70	\$ 100.00	\$ 70.00	Prepared draft of stipulation and proposed order regarding class certification briefing schedule.		\$ 70.00		TM
440	12/26/2012	Erika Nusser	2.70	\$ 350.00	\$ 945.00	Continued analyzing discovery responses and production, and worked on subpoena and letter to Qualcomm [.2.7]		\$ 945.00		TM
441	12/26/2012	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Worked on stipulation for briefing schedule on class certification [.1]; message from client regarding document production [.1]; worked on stipulation and proposed order to vacate case schedule pending class certification and email correspondence with co-counsel regarding same [.3].		\$ 237.50		TM
442	12/27/2012	Greg Wolk	0.40	\$ 425.00	\$ 170.00	Telephone call with co-counsel regarding discovery and factual background issues		\$ 170.00		RW
443	12/27/2012	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	Telephone call with co-counsel regarding discovery and factual background issues		\$ 170.00		RW
444	12/27/2012	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft of and finalized Nusser notice of association of counsel [.2]; arranged filing and service [.1].		\$ 30.00		TM

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1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
445	12/27/2012	Eden Nordby	4.00	\$ 150.00	\$ 600.00	Worked on document production project [.2]; commenced document review and index [3.8].		\$ 600.00		TM
446	12/27/2012	Erika Nusser	2.00	\$ 350.00	\$ 700.00	Analyzed production from Knight [2]		\$ 700.00		TM
447	12/27/2012	Sharon Safarik	4.10	\$ 225.00	\$ 922.50	Researched preemption issues.	2.10	\$ 450.00	Efficiency	TM
448	12/27/2012	Toby Marshall	2.70	\$ 475.00	\$ 1,282.50	Researched and analyzed issues regarding factual background and worked on case strategy [3]; worked on document production issues [2]; email to opposing counsel regarding class certification briefing and case schedule deadlines [1]; worked on document review issues [2]; reviewed defendant's document production [1.5]; telephone conference with co-counsel regarding discovery and factual background issues [4].		\$ 1,282.50		TM
449	12/28/2012	Greg Wolk	1.50	\$ 425.00	\$ 637.50	Telephone conference with co-counsel re factual background, legal, and case strategy issues		\$ 637.50		RW
450	12/28/2012	Hardeep Rekhi	6.40	\$ 425.00	\$ 2,720.00	Legal Research Regarding Similar Claims; E-Mail Correspondence With Co-Counsel; Researched Issues Relating To Comdata; Strategized Subpoenas; confer with co-counsel re factual background, legal and case strategy issues (1.5)		\$ 2,720.00		RW
451	12/28/2012	Jason Proctor	3.50	\$ 150.00	\$ 525.00	Saved And Reviewed E-Mails; Document Management Regarding Letter And Defendant'S Documents Produced; E-Mailed Documents To Co-Counsel	3.50	\$ -	Administrative	RW
452	12/28/2012	Eden Nordby	5.00	\$ 150.00	\$ 750.00	Worked on document production [5]; created production CDs for opposing counsel [3]; letter to opposing counsel [2]; served document production [2]; continued document review and index [3.8].		\$ 750.00		TM
453	12/28/2012	Erika Nusser	2.10	\$ 350.00	\$ 735.00	Worked on revisions to subpoena to Qualcomm [3]; analyzed production of Comdata account for Mr. Aziz [3]; researched factual issues and worked on subpoena to Comdata [1.5]		\$ 735.00		TM
454	12/28/2012	Sharon Safarik	0.50	\$ 225.00	\$ 112.50	Researched preemption issues.	0.30	\$ 45.00	Efficiency	TM
455	12/28/2012	Toby Marshall	3.30	\$ 475.00	\$ 1,567.50	Worked on discovery and factual background issues and researched and analyzed same [1.8]; telephone conference with co-counsel regarding factual background, legal, and case strategy issues [1.5].		\$ 1,567.50		TM
456	12/31/2012	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Document Management	0.30	\$ -	Administrative	RW
457	1/2/2013	Hardeep Rekhi	3.80	\$ 425.00	\$ 1,615.00	Legal Research Regarding Similar Cases; Reviewed Docket; Reviewed Other Cases; E-Mail Correspondence With Co-Counsel		\$ 1,615.00		RW
458	1/2/2013	Jason Proctor	2.10	\$ 150.00	\$ 315.00	Strategized Case: Teleconference With Aziz; Document Management For Exhibits & Transcripts; E-Mailed Clients And Co-Counsel With Exhibits & Transcripts; Reviewed E-Mails; Reviewed Legal Research.	1.80	\$ 45.00	Administrative/Relevance/Efficiency	RW
459	1/2/2013	Katie Lohr	5.20	\$ 90.00	\$ 468.00	Legal Research	2.00	\$ 288.00	Efficiency	RW
460	1/2/2013	Bradford Kinsey	0.60	\$ 100.00	\$ 60.00	Prepared draft of subpoena to produce documents directed to Comdata; prepared draft of and finalized declaration of records custodian; prepared draft of transmittal letter; prepared draft of declaration of service.		\$ 60.00		TM
461	1/2/2013	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Correspondence with co-counsel regarding client contact information.		\$ 30.00		TM
462	1/2/2013	Eden Nordby	3.10	\$ 150.00	\$ 465.00	Worked on document review.		\$ 465.00		TM
463	1/2/2013	Erika Nusser	1.60	\$ 350.00	\$ 560.00	Researched legal and factual issues [1.1]; worked on subpoena to Comdata [5]		\$ 560.00		TM
464	1/2/2013	Sharon Safarik	7.40	\$ 225.00	\$ 1,665.00	Researched preemption and orientation issues.	3.70	\$ 832.50	Efficiency	TM
465	1/2/2013	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Telephone call from Mr. Tena regarding document production [1]; worked on issues regarding same and discovery [4].		\$ 237.50		TM
466	1/3/2013	Hardeep Rekhi	2.90	\$ 425.00	\$ 1,232.50	Researched Issue Regarding Bonuses; Reviewed Deposition Transcripts	1.20	\$ 722.50	Unsuccessful claims	RW
467	1/3/2013	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Reviewed E-Mail Correspondence Regarding Setting Hearing Dates	0.30	\$ -	Administrative	RW
468	1/3/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved And Reviewed Letter Form Judge Lasnik; Strategized Case	0.20	\$ -	Administrative	RW
469	1/3/2013	Katie Lohr	6.00	\$ 90.00	\$ 540.00	Reviewed Documents And Personnel Files		\$ 540.00		RW
470	1/3/2013	Katie Lohr	0.70	\$ 90.00	\$ 63.00	Legal Research	0.70	\$ -	Unsuccessful claims	RW
471	1/3/2013	Bradford Kinsey	0.60	\$ 100.00	\$ 60.00	Conduct legal research regarding Garza v. Swift Transportation matter; revise Qualcomm subpoena.		\$ 60.00		TM
472	1/3/2013	Eden Nordby	4.40	\$ 150.00	\$ 660.00	Continued document review [4]; worked on document production project [2]; worked on docketing [1]; email correspondence regarding Plaintiffs' deposition transcripts [1].		\$ 660.00		TM
473	1/3/2013	Erika Nusser	1.00	\$ 350.00	\$ 350.00	Emails regarding case strategy issues [3]; reviewed analysis of bonus issue [2]; worked on subpoena to Comdata and supporting documents [5]	0.20	\$ 280.00	Unsuccessful Claims	TM
474	1/3/2013	Sharon Safarik	5.50	\$ 225.00	\$ 1,237.50	Researched preemption and orientation issues.	2.70	\$ 630.00	Efficiency	TM
475	1/3/2013	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Reviewed letter from court regarding proposed stipulated protective order [1]; analyzed issues regarding extension of case schedule deadlines and email correspondence with co-counsel and opposing counsel regarding same [3]; worked on revisions to proposed stipulated protective order [3]; reviewed documents from Mr. Tena and worked on production of same [1]; worked on subpoena duces tecum to ComData and email correspondence with co-counsel regarding same [2]; worked on research issues [1].		\$ 522.50		TM

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476	1/4/2013	Hardeep Rekhi	4.20	\$ 425.00	\$ 1,785.00	Review E-Mails Regarding Scheduling; Researched Case Law Regarding Faaa;	0.50	\$ 1,572.50	Relevance	RW
477	1/4/2013	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Research Case Law Regarding Fmsca; Teleconference With Aziz	0.40	\$ -	Relevance/Administrative	RW
478	1/4/2013	Bradford Kinsey	0.40	\$ 100.00	\$ 40.00	Teleconference With Aziz(2); Mailed Documents		\$ 40.00		TM
479	1/4/2013	Eden Nordby	2.90	\$ 150.00	\$ 435.00	Reviewed and revised proposed class certification briefing schedule stipulation and proposed order.		\$ 435.00		TM
480	1/4/2013	Erika Nusser	0.60	\$ 350.00	\$ 210.00	Continued document review.		\$ 210.00		TM
481	1/4/2013	Sharon Safarik	5.10	\$ 225.00	\$ 1,147.50	Analyzed proposed changes to subpoenas to Qualcom and Comdata [.4]; emails regarding scheduling issues [.2]	2.50	\$ 585.00	Efficiency	TM
482	1/4/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Researched preemption and orientation issues.		\$ 95.00		TM
483	1/7/2013	Hardeep Rekhi	2.90	\$ 425.00	\$ 1,232.50	Email correspondence with co-counsel and opposing counsel regarding proposed amendments to case schedule [.2].	0.40	\$ 1,062.50	Unsuccessful claims	RW
484	1/7/2013	Jason Proctor	0.60	\$ 150.00	\$ 90.00	Reviewed Case File; Drafted Outline For 30(B)(6) Deposition; Teleconference With Co-Counsel	0.60	\$ -	Administrative	RW
485	1/7/2013	Bradford Kinsey	0.20	\$ 100.00	\$ 20.00	Saved And Reviewed E-Mail And Documents	0.20	\$ -	Administrative	TM
486	1/7/2013	Eden Nordby	5.10	\$ 150.00	\$ 765.00	Reviewed order on Beane pro hac vice admission; amended caption.		\$ 765.00		TM
487	1/7/2013	Sharon Safarik	7.70	\$ 225.00	\$ 1,732.50	Worked on document production issues [.3]; transmittal letter to opposing counsel [.2]; served document production [.2]; updated production log [.1]; continued document review [.4.3].	3.80	\$ 877.50	Efficiency	TM
488	1/7/2013	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Researched preemption and orientation issues.		\$ 237.50		TM
489	1/8/2013	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	Worked on discovery and factual background issues [.5].		\$ 297.50		RW
490	1/8/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Followed-Up On 30(B)(6)	0.10	\$ -	Administrative	RW
491	1/8/2013	Katie Lohr	0.20	\$ 90.00	\$ 18.00	Saved And Reviewed E-Mails And Documents	0.20	\$ -	Unsuccessful claims	RW
492	1/8/2013	Bradford Kinsey	0.40	\$ 100.00	\$ 40.00	Legal Research		\$ 40.00		TM
493	1/8/2013	Eden Nordby	5.50	\$ 150.00	\$ 825.00	Reviewed, revised and finalized stipulation and proposed order regarding class certification briefing schedule; arranged filing and service; email correspondence to Judge's chambers regarding same.		\$ 825.00		TM
494	1/8/2013	Sharon Safarik	8.00	\$ 225.00	\$ 1,800.00	Continued document review.	4.00	\$ 900.00	Efficiency	TM
495	1/8/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Researched preemption and orientation issues.		\$ 95.00		TM
496	1/8/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Telephone conference with opposing counsel regarding discovery issues [.2].	0.10	\$ -	Administrative	TM
497	1/9/2013	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	Worked on docketing.		\$ 510.00		RW
498	1/9/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Looked At 30(B)(6); Researched Comdata Issue		\$ 15.00	Administrative	RW
499	1/9/2013	Eden Nordby	4.00	\$ 150.00	\$ 600.00	Saved And Reviewed Stipulation		\$ 600.00		TM
500	1/9/2013	Sharon Safarik	8.00	\$ 225.00	\$ 1,800.00	Completed document review.	4.00	\$ 900.00	Efficiency	TM
501	1/9/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Researched preemption and orientation issues.		\$ 47.50		TM
502	1/10/2013	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Telephone call from Mr. Bodily regarding [redacted][.1].		\$ 340.00		RW
503	1/10/2013	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Reviewed Discovery	0.50	\$ -	Administrative	RW
504	1/10/2013	Erika Nusser	0.80	\$ 350.00	\$ 280.00	Reviewed Fax And Docket; Saved And Reviewed Order; Calendared Deadlines		\$ 280.00		TM
505	1/10/2013	Jennifer Murray	1.50	\$ 450.00	\$ 675.00	Emails regarding stipulated protective order [.1]; analyzed same [.4]; analyzed 30(b)(6) deposition notice [.3]		\$ 675.00		TM
506	1/10/2013	Sharon Safarik	8.60	\$ 225.00	\$ 1,935.00	Reviewed memorandum regarding preemption and other issues; personal conference with Ms. Safarik regarding same.	4.30	\$ 967.50	Efficiency	TM
507	1/11/2013	Jason Proctor	0.70	\$ 150.00	\$ 105.00	Researched preemption and orientation issues.	0.70	\$ -	Administrative	RW
508	1/11/2013	Eden Nordby	0.30	\$ 150.00	\$ 45.00	Calendared Deadlines	0.30	\$ -	Administrative	TM
509	1/11/2013	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Worked on docketing.		\$ 140.00		TM
510	1/11/2013	Sharon Safarik	8.00	\$ 225.00	\$ 1,800.00	Conference regarding case strategy issues and subpoenas to Comdata and Qualcomm [.4]	4.00	\$ 900.00	Efficiency	TM
511	1/11/2013	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Researched preemption and orientation issues.		\$ 190.00		TM
512	1/11/2013	Torrie Marshall	0.30	\$ 100.00	\$ 30.00	Analyzed issues regarding revised protective order and email correspondence with co-counsel regarding same [.1]; reviewed order on class certification briefing and case schedule deadlines and analyzed issues regarding docketing of same [.1]; worked on case strategy issues [.2].	0.30	\$ -	Administrative	TM
513	1/14/2013	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Worked on docketing case scheduling order.		\$ 212.50		RW
514	1/14/2013	Jennifer Murray	0.80	\$ 450.00	\$ 360.00	Researched Knight Issues Regarding Wages		\$ 360.00		TM
515	1/14/2013	Sharon Safarik	6.70	\$ 225.00	\$ 1,507.50	Reviewed memorandum regarding preemption.	3.30	\$ 765.00	Efficiency	TM
516	1/15/2013	Greg Wolk	0.50	\$ 425.00	\$ 212.50	Researched preemption and orientation issues.		\$ 212.50		RW
517	1/15/2013	Hardeep Rekhi	1.90	\$ 425.00	\$ 807.50	analyze proposed stipulated protective order [.2]; analyze relevant caselaw [.3]		\$ 807.50		RW
518	1/15/2013	Jason Proctor	0.70	\$ 150.00	\$ 105.00	Legal Research; Reviewed Client Documents; Reviewed Stipulation	0.70	\$ -	Relevance/Administrative/Efficiency	RW
519	1/16/2013	Greg Wolk	0.90	\$ 425.00	\$ 382.50	Reviewed Aziz Pro Se Documents; E-Mailed Co-Counsel; Saved And Reviewed Revised Stipulation And Declaration		\$ 382.50		RW
520	1/16/2013	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	analyze notes on document production		\$ 382.50		RW
521	1/16/2013	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Reviewed Discovery Issues; E-Mail Correspondence With Co-Counsel	0.40	\$ -	Administrative/Efficiency	RW
522	1/16/2013	Bradford Kinsey	1.40	\$ 100.00	\$ 140.00	Saved And Reviewed Documents From Co-Counsel		\$ 140.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
 PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
 AND REIMBURSEMENT OF LITIGATION COSTS - 29
 CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
523	1/16/2013	Erika Nusser	0.70	\$ 350.00	\$ 245.00	Worked on revisions to subpoenas to Qualcomm and Comdata, and finalized the same for service [.]		\$ 245.00		TM
524	1/16/2013	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Reviewed index of hot documents and analyzed issues regarding factual background [4]; researched and analyzed issues regarding Knight's scheme for compensating productive versus non-productive work [3]; reviewed memorandum regarding MCA and FAA preemption, applicability of Washington law to work performed outside of Washington, and orientation pay [4]; worked on topics for Rule 30(b)(6) deposition of defendant [4]; email correspondence with co-counsel regarding case strategy issues and worked on sme [2].	0.30	\$ 665.00	Unsuccessful Claims	TM
525	1/17/2013	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Reviewed Motion For Class Certification, Etc.; Email Correspondence Regarding Deposition; Reviewed Court Filing	0.10	\$ 170.00	Unsuccessful claims	RW
526	1/17/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Saved And Reviewed Revised Stipulated Protective Order; Document Management	0.30	\$ -	Administrative	RW
527	1/17/2013	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
528	1/17/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
529	1/18/2013	Greg Wolk	3.00	\$ 425.00	\$ 1,275.00	analyze notes and memos on class scope, preemption and orientation (2); confer with co-counsel regarding discovery and case strategy issues (1)		\$ 1,275.00		RW
530	1/18/2013	Hardeep Rekhi	1.80	\$ 425.00	\$ 765.00	Discussion With Co-Counsel Regarding Class Certification	0.40	\$ 595.00	Unsuccessful claims	RW
531	1/18/2013	Erika Nusser	3.30	\$ 350.00	\$ 1,155.00	Analyzed production index and documents [2.2]; telephone conference regarding class certification and case strategy issues [1]; researched and docketed deadline for filing motion for over-length brief in support of class certification [1]		\$ 1,155.00		TM
532	1/18/2013	Toby Marshall	2.10	\$ 475.00	\$ 997.50	Telephone conference with co-counsel regarding discovery and case strategy issues and worked on same [2.1].		\$ 997.50		TM
533	1/21/2013	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Edited Letter To Client Regarding Invoice And Discovery		\$ 212.50		RW
534	1/21/2013	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	Strategized Class Certification Issues; Called Possible Declarants; Reviewed Legal Issues Regarding The Same	0.50	\$ 637.50	Unsuccessful claims	RW
535	1/21/2013	Marc Cote	6.10	\$ 375.00	\$ 2,287.50	Researched and summarized case law interpreting 29 CFR 778.318 [1.8]; analyzed defendant's production regarding parties' understanding as to per-mile rate [3.5]; worked on memo analyzing claims under 29 CFR 778.318 [8].	6.10	\$ -	Unsuccessful Claims	TM
536	1/22/2013	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	Worked On 30(B)(6)		\$ 467.50		RW
537	1/22/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
538	1/22/2013	Marc Cote	2.90	\$ 375.00	\$ 1,087.50	Worked on research memo regarding 29 CFR 778.318 and nonpayment for non-driving activities.	2.90	\$ -	Unsuccessful Claims	TM
539	1/23/2013	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Conferred With Aziz; Reviewed Documents Regarding The Same; Sent 30(B)(6) Documents	0.70	\$ 127.50	Relevance	RW
540	1/23/2013	Hardeep Rekhi	1.50	\$ 425.00	\$ 637.50	Reviewed, Revised, And Finalized 30(B)(6) Outline		\$ 637.50		RW
541	1/23/2013	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	E-Mail Correspondence And Discussed Case With Co-Counsel		\$ 382.50		RW
542	1/23/2013	Jason Proctor	1.20	\$ 150.00	\$ 180.00	Teleconference With Aziz; Document Management; Burned Cd Of Client File; Mailed	1.20	\$ -	Relevance/Administrative	RW
543	1/23/2013	Jason Proctor	1.60	\$ 150.00	\$ 240.00	Edited Letter And Notice Of 30(B)(6) Deposition; E-Mailed And Mailed To Opposing Counsel	1.30	\$ 45.00	Administrative	RW
544	1/23/2013	Bradford Kinsey	0.50	\$ 100.00	\$ 50.00	Prepared draft of motion for summary judgment; prepared draft of Marshall declaration in support of motion for summary judgment.		\$ 50.00		TM
545	1/23/2013	Erika Nusser	1.70	\$ 350.00	\$ 595.00	Telephone conference with Ms. Wadi regarding Comdata's response to subpoena and emails regarding the same [4]; voicemails and telephone conference with Mr. Bull regarding Qualcomm's response to subpoena [5]; researched jurisdiction from which subpoena should issue [8]		\$ 595.00		TM
546	1/23/2013	Marc Cote	1.70	\$ 375.00	\$ 637.50	Worked on research memo regarding effect of 29 CFR 778.318 on claims for unpaid time for non-driving activity.	1.70	\$ -	Unsuccessful Claims	TM
547	1/23/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
548	1/24/2013	Greg Wolk	0.50	\$ 425.00	\$ 212.50	review deposition transcript with client		\$ 212.50		RW
549	1/24/2013	Hardeep Rekhi	1.40	\$ 425.00	\$ 595.00	Reviewed Subpoena Issue; Strategized Regarding The Same; Reviewed Jon Bodily Documents; Sent Out 30(B)(6)		\$ 595.00		RW
550	1/24/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	E-Mailed Opposing Counsel And Co-Counsel	0.10	\$ -	Administrative	RW
551	1/24/2013	Eden Nordby	0.30	\$ 150.00	\$ 45.00	Left messages with class representatives [redacted] [2]; Worked on docketing [1].	0.10	\$ 30.00	Administrative	TM
552	1/24/2013	Erika Nusser	1.40	\$ 350.00	\$ 490.00	Telephone conference with Mr. Bull regarding Qualcomm's response to subpoena [2]; researched burden issues related to third-party production [8]; conference regarding Qualcomm's response to subpoena [2]; email to opposing counsel regarding the same [2]		\$ 490.00		TM
553	1/24/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding review of depositions and signatures for same [1]; worked on discovery issues [2].		\$ 142.50		TM
554	1/24/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
555	1/25/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed E-Mail; Calendared Deadline	0.20	\$ -	Administrative	RW
556	1/25/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails from and to Ms. Waddy regarding Comdata's response to subpoena [2]		\$ 70.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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AND REIMBURSEMENT OF LITIGATION COSTS - 30
CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
557	1/27/2013	Erika Nusser	1.00	\$ 350.00	\$ 350.00	Worked on template for class member declarations [1]		\$ 350.00		TM
558	1/27/2013	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Reviewed memorandum regarding claims arising out of Knight's failure to pay for non-driving work [3]; worked on class member declaration template [3].		\$ 285.00		TM
559	1/28/2013	Greg Wolk	0.80	\$ 425.00	\$ 340.00	analyze sample declaration for class cert		\$ 340.00		RW
560	1/28/2013	Hardeep Rekhi	1.90	\$ 475.00	\$ 902.50	Review case law research; review memo re claims; conduct additional research	0.50	\$ 665.00	Unsuccessful Claims	RW
561	1/28/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Saved And Reviewed E-Mail	0.10	\$ -	Administrative	RW
562	1/28/2013	Erika Nusser	1.30	\$ 350.00	\$ 455.00	Worked on revisions to template for class member declarations [7]; emails to and from Ms. Tadan regarding Qualcomm subpoena [4]; analyzed protective order [2]		\$ 455.00		TM
563	1/28/2013	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Telephone call from Mr. Tena regarding [redacted] [2]; worked on discovery and class certification issues [4].	0.30	\$ 142.50	Unsuccessful Claims	TM
564	1/29/2013	Greg Wolk	2.20	\$ 425.00	\$ 935.00	analyze class cert issues; practical miles	2.20	\$ -	Unsuccessful claims	RW
565	1/29/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Transferred Client File; Saved And Reviewed E-Mails	0.20	\$ -	Administrative	RW
566	1/29/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Strategized Case		\$ 15.00		RW
567	1/29/2013	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Worked on discovery and class certification issues [7].		\$ 332.50		TM
568	1/30/2013	Greg Wolk	0.90	\$ 425.00	\$ 382.50	analyze discovery and class cert issue: practical miles	0.90	\$ -	Unsuccessful claims	RW
569	1/30/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Document Management	0.10	\$ -	Administrative	RW
570	1/31/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	analyze issues for 30b6 dep: class scope		\$ 127.50		RW
571	1/31/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Saved And Reviewed E-Mail	0.10	\$ -	Administrative	RW
572	1/31/2013	Jason Proctor	2.20	\$ 150.00	\$ 330.00	Reviewed E-Mails; Cancelled Conference Rooms; Re-Noted Deposition For 30(B)(6); Looked Into Travel Arrangements; Saved And Reviewed E-Mails And Objections; Document Management; E-Mailed And Mailed	2.20	\$ -	Administrative	RW
573	1/31/2013	Katie Lohr	3.50	\$ 90.00	\$ 315.00	Legal Research Regarding Bonuses	3.50	\$ -	Unsuccessful claims	RW
574	1/31/2013	Bradford Kinsey	0.60	\$ 100.00	\$ 60.00	Reviewed correspondence regarding Qualcomm subpoena objections; prepared amended subpoena package of same.		\$ 60.00		TM
575	1/31/2013	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Scheduled court reporter for Knight Transportation deposition; correspondence regarding same.		\$ 60.00		TM
576	1/31/2013	Erika Nusser	2.70	\$ 350.00	\$ 945.00	Analyzed production and commenced working on motion for class certification [1.3]; letter from Mr. Bull regarding objection to subpoena to Qualcomm [3]; worked on letter to Mr. Bull regarding subpoena [1]; email to Mr. Bull regarding amended subpoena [1]		\$ 945.00		TM
577	1/31/2013	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Worked on document management issues and email to opposing counsel regarding response to Rule 30(b)(6) deposition notice [1]; message from opposing counsel regarding scheduling of Rule 30(b)(6) deposition and email to co-counsel regarding same [1]; telephone conferences and email correspondence with with opposing counsel and co-counsel regarding same and worked on arrangements for same [4]; analyzed issues regarding response to Qualcomm subpoena [1]; reviewed objections to Rule 30(b)(6) deposition notice [3]; telephone conference with co-counsel regarding same and preparation for deposition [2].		\$ 570.00		TM
578	2/1/2013	Greg Wolk	0.50	\$ 425.00	\$ 212.50	analyze memo re bonus claim	0.50	\$ -	Unsuccessful claims	RW
579	2/1/2013	Hardeep Rekhi	1.75	\$ 425.00	\$ 743.75	Review legal issues regarding Bonuses; research issues in preparation of Depositions	0.75	\$ 425.00	Unsuccessful claims	RW
580	2/1/2013	Katie Lohr	5.60	\$ 90.00	\$ 504.00	Legal Research Regarding Bonuses	5.60	\$ -	Unsuccessful claims	RW
581	2/1/2013	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Reviewed, revised and finalized letter to Mr. Bull enclosing amended Qualcomm subpoena package.		\$ 30.00		TM
582	2/1/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails to and from Mr. Bull regarding amended subpoena [2]		\$ 70.00		TM
583	2/4/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Telephone call with co-counsel regarding preparation for Rule 30(b)(6) deposition		\$ 85.00		RW
584	2/4/2013	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Teleconference with Co-Counsel; worked on 30(b)(6) outline; strategize re depositions	0.20	\$ 255.00	Unsuccessful claims	RW
585	2/4/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
586	2/4/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding preparation for Rule 30(b)(6) deposition and email correspondence with co-counsel regarding same [1]; telephone call from co-counsel regarding same [2].	0.10	\$ 95.00	Unsuccessful Claims	TM
587	2/4/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
588	2/5/2013	Hardeep Rekhi	3.00	\$ 425.00	\$ 1,275.00	Reviewed Outline For 30(B)(6) Deposition Preparation; Reviewed Discovery	0.50	\$ 1,062.50	Unsuccessful Claims	RW
589	2/5/2013	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Reviewed Deposition Transcript		\$ 425.00		RW
590	2/5/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed E-Mail	0.10	\$ -	Unsuccessful claims	RW
591	2/5/2013	Katie Lohr	4.40	\$ 90.00	\$ 396.00	Legal Research Re Reimbursement	4.40	\$ -	Unsuccessful claims	RW
592	2/6/2013	Greg Wolk	0.50	\$ 425.00	\$ 212.50	review discovery re orientation claim		\$ 212.50		RW
593	2/6/2013	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Strategized Case; Teleconference With Comdata		\$ 60.00		RW
594	2/6/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -		TM
595	2/6/2013	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Telephone conference with Mr. Bull regarding Qualcomm's response to subpoena [3]; email to Ms. Waddy rearding Comdata's response to subpoena [1]		\$ 140.00		TM

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CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
596	2/6/2013	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Message from opposing counsel regarding Rule 30(b)(6) deposition and email correspondence with co-counsel regarding same [1]; analyzed issues regarding same [2]; telephone call from opposing counsel regarding same [1.0]; analyzed issues regarding subpoena duces tecum to Qualcomm [1].	0.20	\$ 570.00	Unsuccessful Claims	TM
597	2/6/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
598	2/7/2013	Greg Wolk	3.90	\$ 425.00	\$ 1,657.50	confer re 30b6 scope and review orientation documents (3.7); review emails from counsel re Qualcomm production (.2)		\$ 1,657.50		RW
599	2/7/2013	Jason Proctor	0.40	\$ 150.00	\$ 60.00	E-Mailed Co-Counsel; Reviewed E-Mails; Strategized Case	0.30	\$ 15.00	Administrative	RW
600	2/7/2013	Katie Lohr	3.30	\$ 90.00	\$ 297.00	Prepared For 30(B)(6) Deposition	0.50	\$ 252.00	Unsuccessful Claims	RW
601	2/7/2013	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email correspondence with co-counsel regarding [redacted].		\$ 30.00		TM
602	2/7/2013	Erika Nusser	1.10	\$ 350.00	\$ 385.00	Emails from and to Ms. Waddy regarding Comdata's response to subpoena, and telephone conference with Ms. Waddy regarding the same [4]; telephone conference and emails with Mr. Bull regarding Qualcomm's response to subpoena [3]; conference regarding the same [2]; email to Ms. Tadano regarding Qualcomm subpoena [2]		\$ 385.00		TM
603	2/7/2013	Toby Marshall	2.30	\$ 475.00	\$ 1,092.50	Reviewed materials in preparation for 30(b)(6) deposition of defendant and analyzed issues regarding same [1.3]; worked on outline of questions for same [6]; worked on declarations from employees [4].	0.30	\$ 950.00	Unsuccessful Claims	TM
604	2/8/2013	Greg Wolk	2.10	\$ 425.00	\$ 892.50	call drivers for declarations		\$ 892.50		RW
605	2/8/2013	Greg Wolk	3.00	\$ 425.00	\$ 1,275.00	analyze and revise 30b6 outline and exhibits (2.3); review discovery production (.7)		\$ 1,275.00		RW
606	2/8/2013	Jason Proctor	4.10	\$ 150.00	\$ 615.00	Document Management For Exhibits For 30(B)(6) Deposition	4.10	\$ -	Administrative	RW
607	2/8/2013	Katie Lohr	6.30	\$ 90.00	\$ 567.00	Prepared For 30(B)(6) Deposition	1.00	\$ 477.00	Unsuccessful Claims	RW
608	2/8/2013	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Drafted motion to file overlength brief.		\$ 30.00		TM
609	2/8/2013	Erika Nusser	5.10	\$ 350.00	\$ 1,785.00	Emails to and from Mr. Bull regarding Qualcomm's response to subpoena [2]; telephone conference with Ms. Waddy regarding factual issues and emails regarding the same [3]; case strategy conference [4]; analyzed and revised outline for 30(b)(6) deposition [1.3]; analyzed production [2.4]; analyzed production from Qualcomm and emails regarding the same [5];	0.70	\$ 1,540.00	Unsuccessful Claims	TM
610	2/8/2013	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Reviewed documents in preparation for deposition of Knight [9].	0.20	\$ 332.50	Unsuccessful Claims	TM
611	2/10/2013	Greg Wolk	2.00	\$ 425.00	\$ 850.00	review discovery production	0.30	\$ 722.50	Unsuccessful Claims	RW
612	2/10/2013	Toby Marshall	2.00	\$ 475.00	\$ 950.00	Reviewed defendant's document production [2.0].	0.30	\$ 807.50	Unsuccessful Claims	TM
613	2/11/2013	Greg Wolk	1.20	\$ 425.00	\$ 510.00	review Qualcomm's production		\$ 510.00		RW
614	2/11/2013	Hardeep Rekhi	2.30	\$ 425.00	\$ 977.50	Prepared For 30(B)(6) Deposition	0.30	\$ 850.00	Unsuccessful claims	RW
615	2/11/2013	Hardeep Rekhi	4.00	\$ 425.00	\$ 1,700.00	Traveled To Deposition		\$ 1,700.00		RW
616	2/11/2013	Hardeep Rekhi	3.50	\$ 425.00	\$ 1,487.50	Prepared For 30(B)(6) Deposition	0.50	\$ 1,275.00	Unsuccessful claims	RW
617	2/11/2013	Jason Proctor	4.00	\$ 150.00	\$ 600.00	Document Management For Exhibits For 30(B)(6) Deposition; Reviewed E-Mail And Letter	4.00	\$ -	Administrative	RW
618	2/11/2013	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Correspondence confirming court reporter for deposition.		\$ 30.00		TM
619	2/11/2013	Erika Nusser	0.80	\$ 350.00	\$ 280.00	Emails regarding discovery issues [2]; analyzed production from Qualcomm and production from Knight [2]; emails and analysis regarding preemption issues [4]		\$ 280.00		TM
620	2/11/2013	Hannah Buckendorf	1.50	\$ 50.00	\$ 75.00	Printed documents needed for deposition and sent documents via Sharefile.		\$ 75.00		TM
621	2/11/2013	Toby Marshall	9.80	\$ 475.00	\$ 4,655.00	Reviewed documents in preparation for Rule 30(b)(6) deposition, worked on strategy for same, and traveled to Phoenix for same [9.8].	1.40	\$ 3,990.00	Unsuccessful claims	TM
622	2/12/2013	Greg Wolk	0.90	\$ 425.00	\$ 382.50	review notes from 30b6 dep (.4); confer w co-counsel re dep (.5)	0.20	\$ 297.50	Unsuccessful claims	RW
623	2/12/2013	Hardeep Rekhi	1.50	\$ 425.00	\$ 637.50	Prepared For 30(B)(6) Deposition (1); confer w co-counsel re dep (.5)	0.20	\$ 552.50	Unsuccessful claims	RW
624	2/12/2013	Hardeep Rekhi	9.50	\$ 425.00	\$ 4,037.50	Attend And Took 30(B)(6) Deposition	1.40	\$ 3,442.50	Unsuccessful claims	RW
625	2/12/2013	Hardeep Rekhi	4.00	\$ 425.00	\$ 1,700.00	Travel Back From Deposition		\$ 1,700.00		RW
626	2/12/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Teleconference With Comdata		\$ 45.00		RW
627	2/12/2013	Erika Nusser	2.40	\$ 350.00	\$ 840.00	Analyzed production and worked on motion for class certification [2.4]		\$ 840.00		TM
628	2/12/2013	Toby Marshall	13.80	\$ 475.00	\$ 6,555.00	Prepared for and participated in deposition of Mr. Quast, designee for Knight Transportation; meetings with co-counsel regarding same; worked on case strategy issues; returned to Seattle from Phoenix [13.8].	1.40	\$ 5,890.00	Unsuccessful claims	TM
629	2/12/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
630	2/13/2013	Greg Wolk	10.80	\$ 425.00	\$ 4,590.00	draft fact section on Comdata reimbursement (4.1); draft fact section on CPA claim (3.1); call witnesses for declarations (1.2); draft declaration (.8); telephone conference with co-counsel re case strategy issues and claims for class cert (1.7)	3.10	\$ 3,272.50		RW
631	2/13/2013	Hardeep Rekhi	2.20	\$ 425.00	\$ 935.00	Teleconference With Co-Counsel		\$ 935.00		RW
632	2/13/2013	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	Reviewed Various Issues In The Case With Co-Counsel; Researched Regarding The Same		\$ 850.00		RW
633	2/13/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Saved And Reviewed E-Mail(2); Document Management	0.10	\$ -	Administrative	RW
634	2/13/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 32
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
635	2/13/2013	Erika Nusser	5.80	\$ 350.00	\$ 2,030.00	Telephone conference regarding 30(b)(6) deposition and class certification issues [5]; researched factual and legal issues related to orientation pay claim [1.2]; analyzed notes from 30(b)(6) deposition [5]; emails regarding stipulation to allow defendant to file amended answer [2]; analyzed declaration of James Moon [2]; analyzed declaration of Cory Holt [2]; worked on motion for class certification [3]		\$ 2,030.00		TM
636	2/13/2013	Toby Marshall	5.90	\$ 475.00	\$ 2,802.50	Worked on outline for class certification motion and researched and analyzed issues regarding same [1.8]; message from opposing counsel regarding leave to amend answer [1]; telephone conferences with co-counsel regarding case strategy issues and claims for class certification [1.7]; reviewed documents in relation to same [4]; telephone conference with opposing counsel regarding request for leave to amend answer [1]; email correspondence with co-counsel regarding same [1]; left message with opposing counsel regarding same [1]; worked on template for class member declarations [5]; left message with [redacted] regarding [redacted] [1]; telephone conference with [redacted] regarding [redacted] [8]; finalized same [2].	1.00	\$ 2,327.50	Unsuccessful Claims	TM
637	2/14/2013	Greg Wolk	3.30	\$ 425.00	\$ 1,402.50	call witnesses for declarations (2.3); draft declaration (.8); phone call with co-counsel regarding legal analysis per diem claims (.2)		\$ 1,402.50		RW
638	2/14/2013	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	phone call with co-counsel regarding legal analysis per diem claims; research re same		\$ 297.50		RW
639	2/14/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Saved And Reviewed E-Mail	0.20	\$ -	Administrative	RW
640	2/14/2013	Eden Nordby	0.60	\$ 150.00	\$ 90.00	Letter to class member regarding declaration; forwarded same [4]; correspondence regarding class certification motion [2].		\$ 90.00		TM
641	2/14/2013	Erika Nusser	7.00	\$ 350.00	\$ 2,450.00	Worked on orientation and rest break sections for motion for class certification [7]		\$ 2,450.00		TM
642	2/14/2013	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Telephone call from co-counsel regarding legal analysis of per diem claims [2]; reviewed case law regarding same [3]; worked on gathering class member declarations and telephone conferences with [redacted] regarding same [7].		\$ 570.00		TM
643	2/15/2013	Greg Wolk	1.00	\$ 425.00	\$ 425.00	review preemption issue for break claims		\$ 425.00		RW
644	2/15/2013	Greg Wolk	3.00	\$ 425.00	\$ 1,275.00	draft fact section on practical miles	3.00	\$ -	Unsuccessful claims	RW
645	2/15/2013	Jason Proctor	1.30	\$ 150.00	\$ 195.00	Saved And Reviewed Declarations; Strategized Case; Investigated [redacted]	0.70	\$ 90.00	Administrative/Efficiency	RW
646	2/15/2013	Katie Lohr	0.10	\$ 90.00	\$ 9.00	Document Management	0.10	\$ -	Administrative	RW
647	2/15/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on file organization.	0.10	\$ -	Administrative	TM
648	2/15/2013	Eden Nordby	0.30	\$ 150.00	\$ 45.00	Letter to class member regarding [redacted]; forwarded declaration to class member for signature [3].		\$ 45.00		TM
649	2/15/2013	Erika Nusser	6.60	\$ 350.00	\$ 2,310.00	Worked on orientation and rest break sections for motion for class certification [6]; emails regarding preemption issues [4]; analyzed declaration of Steven Smith [2]		\$ 2,310.00		TM
650	2/15/2013	Toby Marshall	2.70	\$ 475.00	\$ 1,282.50	Worked on draft of declaration for [redacted] and left message with [redacted] regarding same [3]; telephone conference with [redacted] regarding [redacted] [2]; worked on declaration of [redacted] and telephone conference with [redacted] regarding same [1.7]; worked on class certification motion [2]; reviewed email from opposing counsel regarding preemption argument and researched and analyzed issues regarding same [3].		\$ 1,282.50		TM
651	2/16/2013	Greg Wolk	1.20	\$ 425.00	\$ 510.00	revise fact section on practical miles	1.20	\$ -	Unsuccessful claims	RW
652	2/16/2013	Erika Nusser	6.00	\$ 350.00	\$ 2,100.00	Worked on overtime section for motion for class certification [6]	6.00	\$ -	Unsuccessful Claims	TM
653	2/17/2013	Greg Wolk	0.70	\$ 425.00	\$ 297.50	call witnesses for declarations; draft declaration		\$ 297.50		RW
654	2/17/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	finalize fact section on practical miles	0.30	\$ -	Unsuccessful claims	RW
655	2/17/2013	Erika Nusser	5.70	\$ 350.00	\$ 1,995.00	Worked on overtime and per diem sections for motion for class certification [5.7]	2.90	\$ 980.00	Unsuccessful Claims	TM
656	2/18/2013	Greg Wolk	4.50	\$ 425.00	\$ 1,912.50	review discovery for exhibits to CPA, practical miles, ODND, and bonus pay claims	4.10	\$ 170.00	Unsuccessful claims	RW
657	2/18/2013	Greg Wolk	0.70	\$ 425.00	\$ 297.50	analyze bonus pay section	0.70	\$ -	Unsuccessful claims	RW
658	2/18/2013	Hardeep Rekhi	2.40	\$ 425.00	\$ 1,020.00	Review research re claims; strategize motion; update strategy memo re the same	0.50	\$ 807.50	Unsuccessful claims	RW
659	2/18/2013	Jason Proctor	1.90	\$ 150.00	\$ 285.00	Investigated Comdata Records		\$ 285.00		RW
660	2/18/2013	Erika Nusser	8.30	\$ 350.00	\$ 2,905.00	Worked on orientation and per diem sections for motion for class certification [4]; analyzed 30(b)(6) deposition [2]; analyzed and worked on revisions to fact sections for motion for class certification [2.3]		\$ 2,905.00		TM
661	2/18/2013	Toby Marshall	2.10	\$ 475.00	\$ 997.50	Telephone conferences with co-counsel regarding draft of class certification motion and factual background and legal issues [8]; worked on same [1.0]; telephone conference with opposing counsel regarding leave to amend answer to assert preemption defense [1]; analyzed issues regarding same [2].	0.50	\$ 760.00	Unsuccessful Claims	TM
662	2/19/2013	Greg Wolk	2.10	\$ 425.00	\$ 892.50	analyze 30b6 deposition		\$ 892.50		RW
663	2/19/2013	Greg Wolk	0.80	\$ 425.00	\$ 340.00	revise practical miles section with cites	0.80	\$ -	Unsuccessful claims	RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 33
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
664	2/19/2013	Greg Wolk	0.50	\$ 425.00	\$ 212.50	analyze CPA claim section	0.50	\$ -	Unsuccessful claims	RW
665	2/19/2013	Greg Wolk	0.60	\$ 425.00	\$ 255.00	analyze and revise ODN section	0.60	\$ -	Unsuccessful Claims	RW
666	2/19/2013	Hardeep Rekhi	2.90	\$ 425.00	\$ 1,232.50	Review research re claims; strategize motion; update strategy memo re the same	0.50	\$ 1,020.00		RW
667	2/19/2013	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Strategized Case; Downloaded Exhibits From Sharefile; Renamed Files; Downloaded Mynatt Motion For Class Certification Brief; Saved Motion For Class Cert Draft; Saved Motion For Leave And Proposed Order	0.40	\$ -	Administrative	RW
668	2/19/2013	Bradford Kinsey	1.30	\$ 100.00	\$ 130.00	Prepared draft of motion for overlength brief; prepared draft of proposed order granting motion for overlength brief.		\$ 130.00		TM
669	2/19/2013	Eden Nordby	0.30	\$ 150.00	\$ 45.00	Reviewed Defendant's production for employee handbook documents.		\$ 45.00		TM
670	2/19/2013	Erika Nusser	7.40	\$ 350.00	\$ 2,590.00	Worked on motion for class certification [6.9]; worked on motion to file over-length brief [.5]	1.30	\$ 2,135.00	Unsuccessful Claims	TM
671	2/19/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on strategy for class certification [.2].		\$ 95.00		TM
672	2/20/2013	Greg Wolk	0.80	\$ 425.00	\$ 340.00	review CPA order and revise section	0.80	\$ -	Unsuccessful claims	RW
673	2/20/2013	Greg Wolk	1.90	\$ 425.00	\$ 807.50	call witnesses for declarations (1.1); draft declaration (.3); telephone conference with co-counsel re class certification motion and legal issues regarding the same (.5)		\$ 807.50		RW
674	2/20/2013	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	telephone conference with co-counsel re class certification motion and legal issues regarding the same		\$ 212.50		RW
675	2/20/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Updated File; Saved Order	0.20	\$ -	Administrative	RW
676	2/20/2013	Eden Nordby	1.20	\$ 150.00	\$ 180.00	Reviewed documents and deposition transcripts for class certification motion [1]; telephone conferences with class members regarding [redacted] [.2].		\$ 180.00		TM
677	2/20/2013	Erika Nusser	7.70	\$ 350.00	\$ 2,695.00	Telephone conference regarding motion for class certification and case strategy issues [.6]; analyzed declaration of Dwight Simmons [.2]; researched factual issues and worked on motion for class certification [6.9]		\$ 2,695.00		TM
678	2/20/2013	Toby Marshall	6.20	\$ 475.00	\$ 2,945.00	Worked on class certification motion and researched and analyzed issues regarding same [4.2]; telephone conferences with co-counsel regarding same [.5]; telephone conferences with [redacted] regarding [redacted] [1.1]; worked on same [.4].	1.20	\$ 2,375.00	Unsuccessful Claims	TM
679	2/21/2013	Greg Wolk	3.40	\$ 425.00	\$ 1,445.00	analyze draft of class cert motion	0.90	\$ 1,062.50	Unsuccessful claims	RW
680	2/21/2013	Greg Wolk	1.90	\$ 425.00	\$ 807.50	contact witness(.8); revise declaration (.2); telephone conference with co-counsel regarding class cert motion and issues regarding the same (.9)		\$ 807.50		RW
681	2/21/2013	Greg Wolk	1.70	\$ 425.00	\$ 722.50	analyzed and research practical miles	1.70	\$ -	Unsuccessful claims	RW
682	2/21/2013	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	Motion for Class Certification	0.50	\$ 637.50	Unsuccessful Claims	RW
683	2/21/2013	Hardeep Rekhi	0.01	\$ 425.00	\$ 3.31	Motion for Class Certification	0.00	\$ 2.48		RW
684	2/21/2013	Hardeep Rekhi	0.35	\$ 425.00	\$ 150.28	Review Draft of Motion for Continuance; review stipulation by Defendant regarding amending answer		\$ 150.28		RW
685	2/21/2013	Hardeep Rekhi	5.27	\$ 425.00	\$ 2,238.33	Review and revise Motion for Class Certification; teleconference with co-counsel; review and analyze exhibits	1.32	\$ 1,678.75		RW
686	2/21/2013	Hardeep Rekhi	1.64	\$ 425.00	\$ 697.71	Review and revise Motion for Class Certification; teleconference with co-counsel; review and analyze exhibits	0.41	\$ 523.28		RW
687	2/21/2013	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	telephone conference with co-counsel regarding class cert motion and issues regarding the same		\$ 382.50		RW
688	2/21/2013	Jason Proctor	1.20	\$ 150.00	\$ 180.00	Reviewed E-Mail; Saved Declaration; Saved Declaration; Legal Research; Saved And Reviewed Stipulated Motion And Proposed Order For Leave To File Amended Answer To First Amended Complaint; Saved And Reviewed E-Mail And Letter From Opposing Counsel; Saved And Labeled Documents Produced; E-Mailed Co-Counsel	1.00	\$ 30.00	Administrative/Efficiency	RW
689	2/21/2013	Bradford Kinsey	1.20	\$ 100.00	\$ 120.00	Reviewed and revised motion for class certification.		\$ 120.00		TM
690	2/21/2013	Eden Nordby	3.70	\$ 150.00	\$ 555.00	Worked on declaration and exhibits in support of class certification; forwarded class member declarations to co-counsel.		\$ 555.00		TM
691	2/21/2013	Erika Nusser	14.20	\$ 350.00	\$ 4,970.00	Worked on motion for class certification [14]; analyzed declaration of Erin Moon [.2]	2.70	\$ 4,025.00	Unsuccessful Claims	TM
692	2/21/2013	Toby Marshall	11.00	\$ 475.00	\$ 5,225.00	Worked on class certification motion and researched and analyzed issues regarding same [9.6]; telephone conferences with co-counsel regarding same [.9]; reviewed stipulated motion for leave to amend answer and analyzed issues regarding same [.2]; researched and analyzed issues regarding Knight's job advertisements [.3].	2.60	\$ 3,990.00	Unsuccessful Claims	TM
693	2/22/2013	Greg Wolk	2.90	\$ 425.00	\$ 1,232.50	analyze latest version of class cert motion	0.70	\$ 935.00	Unsuccessful claims	RW
694	2/22/2013	Greg Wolk	0.80	\$ 425.00	\$ 340.00	draft declaration in support of motion for class cert		\$ 340.00		RW
695	2/22/2013	Greg Wolk	1.40	\$ 425.00	\$ 595.00	reseach and revise section on practical miles	1.40	\$ -	Unsuccessful claims	RW
696	2/22/2013	Hardeep Rekhi	2.51	\$ 425.00	\$ 1,066.51	Review and revise Motion for Class Certification; teleconference with co-counsel; review and analyze exhibits	0.50	\$ 854.01	unsuccessful claims	RW
697	2/22/2013	Jason Proctor	5.00	\$ 150.00	\$ 750.00	Updated File; Reviewed E-Mails From Co-Counlel; Reviewed And Edited Motion For Class Certification	5.00	\$ -	Administrative/Efficiency	RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 34
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
698	2/22/2013	Bradford Kinsey	8.00	\$ 100.00	\$ 800.00	Reviewed, revised and finalized motion for class certification; prepared table of contents and table of authorities; reviewed and finalized Hardeep Rekhi, Erin Moon, James Moon, Cory Holt, Steven Smith and Dwight Simmons declarations; reviewed, revised and finalized Marshall declaration; assembled exhibits; arranged filing and service.	2.00	\$ 600.00	Unsuccessful Claims	TM
699	2/22/2013	Eden Nordby	9.00	\$ 150.00	\$ 1,350.00	Worked on motion for class certification and supporting documents.	2.30	\$ 1,005.00	Unsuccessful Claims	TM
700	2/22/2013	Erika Nusser	11.00	\$ 350.00	\$ 3,850.00	Worked on revisions to motion for class certification and supporting documents and finalized the same for filing [11]	2.00	\$ 3,150.00	Unsuccessful Claims	TM
701	2/22/2013	Jennifer Boschen	2.40	\$ 150.00	\$ 360.00	Worked on exhibits to class certification brief and conferences and correspondence regarding same [2.4].		\$ 360.00		TM
702	2/22/2013	Toby Marshall	8.10	\$ 475.00	\$ 3,847.50	Worked on class certification motion and related documents and telephone conference with co-counsel regarding same [8.1].	2.00	\$ 2,897.50	Unsuccessful Claims	TM
703	2/25/2013	Jason Proctor	2.30	\$ 150.00	\$ 345.00	Saved And Printed Plaintiffs' Motion For Class Certification And Supporting Documents; Calendared; Created Notebook; Conducted Legal Research	2.00	\$ 45.00	Administrative/Efficiency	RW
704	2/25/2013	Bradford Kinsey	0.80	\$ 100.00	\$ 80.00	Prepared bench copy of motion for class certification; arranged delivery to chambers.	0.20	\$ 60.00	Unsuccessful Claims	TM
705	2/25/2013	Hannah Buckendorf	1.50	\$ 50.00	\$ 75.00	Created Judges notebook and set up ABC pick up.		\$ 75.00		TM
706	2/26/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	Telephone call with co-counsel re scope of class period		\$ 127.50		RW
707	2/26/2013	Hardeep Rekhi	0.35	\$ 425.00	\$ 148.75	Teleconference with Co-Counsel re status and subpoena of Qualcomm records		\$ 148.75		RW
708	2/26/2013	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Telephone call with co-counsel re scope of class period		\$ 127.50		RW
709	2/26/2013	Jason Proctor	2.80	\$ 150.00	\$ 420.00	Drafted Records Requests To L&I Regarding Public Records Requests	2.80	\$ -	Administrative/Unsuccessful Claims	RW
710	2/26/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding subpoena to Qualcomm [2]		\$ 70.00		TM
711	2/26/2013	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Email from opposing counsel regarding scope of class period and email to co-counsel regarding same [1]; telephone call from co-counsel regarding same [3]; email to opposing counsel regarding same [2]; analyzed issues regarding same [2]; analyzed issues regarding Comdata fees [1].		\$ 427.50		TM
712	2/27/2013	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer and research issue of Qualcomm subpoena		\$ 170.00		RW
713	2/27/2013	Hardeep Rekhi	0.48	\$ 425.00	\$ 205.06	review email correspondence; research issue re subpoena		\$ 205.06		RW
714	2/27/2013	Erika Nusser	0.70	\$ 350.00	\$ 245.00	Emails regarding subpoena to Qualcomm [3]; telephone conference and emails with Mr. Bull regarding subpoena to Qualcomm [2]; email to Ms. Tadano regarding subpoena to Qualcomm [2]		\$ 245.00		TM
715	2/27/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone call from opposing counsel regarding scope of class, analyzed issues regarding same, and email to opposing counsel regarding subpoena to Qualcomm [3].		\$ 142.50		TM
716	2/28/2013	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	review email correspondence regarding qualcomm records		\$ 85.00		RW
717	2/28/2013	Jason Proctor	1.00	\$ 150.00	\$ 150.00	Signed And Scanned 23 L&I Public Records Requests; Saved And Printed 2013.2.28 Defendant's Amended Answer To First Amended Complaint	1.00	\$ -	Administrative/Unsuccessful Claims	RW
718	2/28/2013	Erika Nusser	1.20	\$ 350.00	\$ 420.00	Emails regarding subpoena to Qualcomm [4]; emails and telephone conference with Mr. Bull regarding the same [2]; telephone conference with counsel for Comdata regarding subpoena and emails regarding the same [4]; emails to and from Ms. Tadano regarding Qualcomm subpoena [2]		\$ 420.00		TM
719	3/1/2013	Jason Proctor	1.20	\$ 150.00	\$ 180.00	Signed And Scanned 28 L&I Public Records Requests; Updated Filed	1.20	\$ -	Administrative/Unsuccessful Claims	RW
720	3/4/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Saved And Reviewed Defendant's Motion To File Over-Length Brief Iso Its Motion For Sj And Proposed Order	0.10	\$ -	Administrative	RW
721	3/5/2013	Greg Wolk	0.60	\$ 425.00	\$ 255.00	speak with witness driver		\$ 255.00		RW
722	3/5/2013	Jason Proctor	0.90	\$ 150.00	\$ 135.00	Teleconference With L&I(2); Reviewed And Analyzed Records; Strategized Public Records Requests; E-Mailed L&I; Saved And Printed E-Mail	0.90	\$ -	Administrative	RW
723	3/7/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding case strategy issues [2]		\$ 70.00		TM
724	3/7/2013	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Telephone call from [redacted] regarding [redacted] [1]; researched and analyzed issues and telephone conference with co-counsel regarding same [1.1]; telephone conferences with [redacted] regarding same [2].		\$ 665.00		TM
725	3/8/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding defendant's contact with class members [2]		\$ 70.00		TM
726	3/8/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding defendant's improper contacts with proposed class members who submitted declarations in support of plaintiffs [2].		\$ 95.00		TM
727	3/11/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding reply in support of class certification motion [1].		\$ 47.50		TM
728	3/12/2013	Greg Wolk	0.90	\$ 425.00	\$ 382.50	analyze caselaw on ODN and practical miles claim	0.90	\$ -	Unsuccessful claims	RW
729	3/12/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Telephone conference with co-counsel re defendant's inquiry into represented status of declarants and analyzed issues regarding same		\$ 85.00		RW
730	3/12/2013	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	review case law regarding piece rate; email correspondence with co counsel regarding show cause hearing		\$ 425.00		RW
731	3/12/2013	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Reviewed order to show cause; telephone conference to and from Ms. Roberts, Judge Lasnik's bailliff, regarding missing notebook.		\$ 30.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 35
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
732	3/12/2013	Erika Nusser	1.00	\$ 350.00	\$ 350.00	Analyzed recent decision regarding practical miles issues and emails regarding the same [.7]; analyzed order to show cause and emails regarding the same [.3]	0.70	\$ 105.00	Unsuccessful Claims	TM
733	3/12/2013	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Researched and analyzed issues regarding failure to pay for all hours worked on ground that productive pay covers non-productive work time and emails to co-counsel regarding same [4]; telephone conference with co-counsel regarding defendant's inquiry into represented status of declarants and analyzed issues regarding same [2].	0.40	\$ 95.00	Unsuccessful Claims	TM
734	3/13/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	Telephone conference and e-mail correspondence with co-counsel		\$ 127.50		RW
735	3/13/2013	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Telephone conference and e-mail correspondence with co-counsel		\$ 127.50		RW
736	3/13/2013	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Telephone conference and email correspondence with co-counsel regarding [redacted] [3]; telephone conferences with [redacted] regarding same [4]; left message with Mr. Tena regarding [redacted] [1].		\$ 380.00		TM
737	3/18/2013	Greg Wolk	0.60	\$ 425.00	\$ 255.00	review PRA response to REOT request	0.60	\$ -	Unsuccessful claims	RW
738	3/18/2013	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Saved And Reviewed E-Mail From L&I ; Saved And Reviewed Records	0.40	\$ -	Administrative	RW
739	3/18/2013	Hannah Buckendorf	1.00	\$ 50.00	\$ 50.00	Uploaded two sets of documents to ShareFile and sent documents via Sharefile.		\$ 50.00		TM
740	3/19/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	draft PRA requests for REOT files for various trucking companies	0.30	\$ -	Unsuccessful claims	RW
741	3/19/2013	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email regarding Defendant's new production and document database.		\$ 30.00		TM
742	3/19/2013	Erika Nusser	1.00	\$ 350.00	\$ 350.00	Analyzed production and conference regarding the same [1]		\$ 350.00		TM
743	3/19/2013	Jennifer Boschen	0.10	\$ 150.00	\$ 15.00	Analyzed document production format and correspondence regarding same [1].		\$ 15.00		TM
744	3/20/2013	Jason Proctor	3.40	\$ 150.00	\$ 510.00	Reviewed E-Mails From Co-Counsel; E-Mailed Paralegal For Opposing Counsel; E-Mailed Co-Counsel Re Supplemental Documents Produced From Opposing Counsel; Reviewed E-Mail Form Co-Counsel; E-Mailed Co-Counsel L&I Documents; Downloaded And Renamed Documents Produced By Opposing Counsel, Bates Nos Def0004688-Def0010762; Sent E-Mail Regarding Discovery; E-Mailed L&I Re Regrds Request (51); Reviewed E-Mail From Co-Counsel Regarding Class Member	3.40	\$ -	Administrative	RW
745	3/20/2013	Eden Nordby	2.90	\$ 150.00	\$ 435.00	Forwarded document production to co-counsel [2]; reviewed document production; email and personal conference regarding same [2]; worked on file organization [7].	0.70	\$ 330.00	Administrative	TM
746	3/20/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone call from Mr. Bodily regarding [redacted] [1]; worked on case strategy issues [1].		\$ 95.00		TM
747	3/21/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed E-Mail From Co-Counsel Re Class Rep; Responded To E-Mail	0.10	\$ -	Administrative	RW
748	3/22/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Records		\$ 15.00		RW
749	3/22/2013	Bradford Kinsey	0.80	\$ 100.00	\$ 80.00	Prepared draft of plaintiffs' response to partial motion for summary judgment; prepared draft of proposed order denying motion for partial summary judgment.		\$ 80.00		TM
750	3/22/2013	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Analyzed issues regarding defendant's recent document production [1]; reviewed defendant's motion for summary judgment and analyzed issues regarding same [1.6].	0.40	\$ 617.50	Unsuccessful Claims	TM
751	3/25/2013	Greg Wolk	1.70	\$ 425.00	\$ 722.50	Telephone conference with co-counsel regarding defendant's opposition to class certification and motion for summary judgment		\$ 722.50		RW
752	3/25/2013	Hardeep Rekhi	1.75	\$ 425.00	\$ 743.75	Review SJ and supporting documents; begin strategy outline a response,	0.44	\$ 557.81		RW
753	3/25/2013	Hardeep Rekhi	2.60	\$ 425.00	\$ 1,106.30	Review SJ and supporting documents; begin strategy outline a response, review opposition to class certification; teleconference with co-counsel	0.65	\$ 829.72		RW
754	3/25/2013	Jason Proctor	2.00	\$ 150.00	\$ 300.00	Document Management For Defendant's Motion For Partial Sj; Decl. Of Kevin Quast Iso Defendant's Motion For Partial Sj & Exhibits A-H; 2013.3.21 Decl. Of Clark Jenkins Iso Defendant's Motion For Partial Sj; Decl. Of Dominic Dorsett Iso Defendant's Motion For Partial Sj & Exhibits A-1-8; Decl. Of Sonya Kwon Iso Defendant's Motion For Partial Sj & Exhibit A & B; Decl. Of Stelman Keehnel Iso Defendant's Motion For Partial Sj & Exhibits A-J; 2013.3.22 Praecipe To Decl. Of Kevin Quast Iso Defendant's Motion For Partial Sj & Exhibits A-H	2.00	\$ -	Administrative	RW
755	3/25/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Reviewed And Analyzed Discovery Regarding L & I Documents	0.30	\$ -	Unsuccessful claims	RW
756	3/25/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Drafted L & I Records Request Re Disc Containing Reot Materials	0.20	\$ -	Unsuccessful claims	RW
757	3/25/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Teleconference With Co-Counsel		\$ 15.00		RW
758	3/25/2013	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft of reply in support of motion for class certification.	0.08	\$ 22.50		TM
759	3/25/2013	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
760	3/25/2013	Toby Marshall	2.40	\$ 475.00	\$ 1,140.00	Reviewed defendant's opposition to class certification and researched and analyzed issues regarding [7]; telephone conference with co-counsel regarding defendant's opposition to class certification and motion for summary judgment and researched and analyzed issues regarding same [1.7].	0.60	\$ 855.00	Unsuccessful Claims	TM
761	3/25/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
762	3/26/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer w LNI PRA officer re REOT request	0.20	\$ -	Unsuccessful claims	RW
763	3/26/2013	Greg Wolk	1.20	\$ 425.00	\$ 510.00	analyze Knight's SJ motion	0.20	\$ 425.00	Unsuccessful claims	RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 36
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	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
764	3/26/2013	Hardeep Rekhi	2.50	\$ 425.00	\$ 1,062.50	Research, and review previous legal research and analyse the same regarding FAANA issues		\$ 1,062.50		RW
765	3/27/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	analyze questions for per diem expert		\$ 127.50		RW
766	3/27/2013	Greg Wolk	2.60	\$ 425.00	\$ 1,105.00	draft opp to SJ motion	0.70	\$ 807.50	Unsuccessful claims	RW
767	3/27/2013	Hardeep Rekhi	2.15	\$ 425.00	\$ 913.99	Research legal issues raised in Defendants SJ and opposition to class cert.; discuss the issue regarding tax liability	0.50	\$ 701.49		RW
768	3/27/2013	Hardeep Rekhi	0.68	\$ 425.00	\$ 290.42	Research legal issues raised in Defendants SJ and opposition to class cert.; discuss the issue regarding tax liability	0.17	\$ 217.81		RW
769	3/27/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Corresponded With L&I Re Records Requests	0.30	\$ -	Administrative	RW
770	3/28/2013	Greg Wolk	1.50	\$ 425.00	\$ 637.50	revise draft opp to SJM	0.30	\$ 510.00	Unsuccessful claims	RW
771	3/28/2013	Jennifer Murray	4.50	\$ 450.00	\$ 2,025.00	Worked on damages issues for class certification motion.	1.20	\$ 1,485.00	Unsuccessful claims	TM
772	3/28/2013	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Telephone conference with [redacted] regarding expert consultation services [2]; analyzed issues regarding response to class certification opposition [2].		\$ 190.00		TM
773	3/30/2013	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Researched and analyzed issues regarding Wang decision and worked on strategy for dealing with same [1.1].		\$ 522.50		TM
774	3/31/2013	Toby Marshall	6.20	\$ 475.00	\$ 2,945.00	Reviewed defendant's opposition to class certification, researched and analyzed issues regarding same, and worked on outline of reply to same [6.2].	1.50	\$ 2,232.50	Unsuccessful Claims	TM
775	4/1/2013	Greg Wolk	4.10	\$ 425.00	\$ 1,742.50	revise section on orientation (2.5); telephone conferences with co-counsel regarding strategy for class certification reply and summary judgment opposition (1.6)		\$ 1,742.50		RW
776	4/1/2013	Hardeep Rekhi	5.60	\$ 425.00	\$ 2,381.42	Research legal issues raised in Defendants SJ and opposition to class cert.; discuss the issue regarding tax liability	1.40	\$ 1,786.06		RW
777	4/1/2013	Hardeep Rekhi	1.60	\$ 425.00	\$ 680.00	telephone conferences with co-counsel regarding strategy for class certification reply and summary judgment opposition (1.6)		\$ 680.00		RW
778	4/1/2013	Jason Proctor	3.00	\$ 150.00	\$ 450.00	Document Management Re Motion For Class Certification And Summary Judgment; Legal Research; Strategized Case And Document Management Re Per Diem Expert	2.40	\$ 90.00	Administrative/Unsuccessful Claims	RW
779	4/1/2013	Erika Nusser	6.40	\$ 350.00	\$ 2,240.00	Analyzed defendant's response to plaintiffs' motion for class certification and telephone conference and emails regarding the same [1.2]; analyzed defendant's motion for summary judgment and telephone conference and emails regarding the same [1.6]; commenced working on response to defendant's motion for summary judgment [3.6]	1.60	\$ 1,680.00	Unsuccessful Claims	TM
780	4/1/2013	Toby Marshall	6.90	\$ 475.00	\$ 3,277.50	Worked on reply in support of class certification and analyzed issues regarding same [1.0]; worked on outline for opposition to summary judgment and researched and analyzed issues regarding same [1.2]; telephone conferences with co-counsel regarding strategy for class certification reply and summary judgment opposition [1.6]; prepared for and participated in telephone call with Mr. Head regarding expert consultation [7]; researched and analyzed issues regarding orientation claim and employee status determinations and email correspondence with co-counsel regarding same [1.0]; researched and analyzed issues regarding summary judgment and class certification issues [1.4].	1.30	\$ 2,660.00	Unsuccessful Claims	TM
781	4/2/2013	Hardeep Rekhi	4.03	\$ 425.00	\$ 1,714.64	Research legal issues regarding class definition		\$ 1,714.64		RW
782	4/2/2013	Jason Proctor	3.70	\$ 150.00	\$ 555.00	Document Management For Expert Re Per Diem Pay; E-Mailed Co-Counsel Specific Documents	3.70	\$ -	Administrative	RW
783	4/2/2013	Erika Nusser	7.30	\$ 350.00	\$ 2,555.00	Email from Mr. Bull regarding subpoena to Qualcomm [1]; emails regarding expert on taxation under the per diem program [4]; researched factual issues for response to summary judgment motion [3.8]; worked on response to motion for summary judgment [3]	1.70	\$ 1,960.00	Unsuccessful Claims	TM
784	4/2/2013	Toby Marshall	9.60	\$ 475.00	\$ 4,560.00	Telephone conference with [redacted] regarding [redacted] and email to co-counsel regarding same [4]; worked on reply in support of class certification and researched and analyzed issues regarding same [9.2].	2.70	\$ 3,277.50	Unsuccessful Claims	TM
785	4/3/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	revise analysis for per diem expert		\$ 127.50		RW
786	4/3/2013	Greg Wolk	4.50	\$ 425.00	\$ 1,912.50	draft section opp SJM on orientation		\$ 1,912.50		RW
787	4/3/2013	Hardeep Rekhi	4.11	\$ 425.00	\$ 1,747.81	Research legal issues regarding class definition; legal research regarding class cert	1.03	\$ 1,310.86	Unsuccessful claims	RW
788	4/3/2013	Hardeep Rekhi	1.89	\$ 425.00	\$ 803.60	Research legal issues regarding class definition; legal research regarding class cert	0.47	\$ 602.70	Unsuccessful claims	RW
789	4/3/2013	Jason Proctor	2.90	\$ 150.00	\$ 435.00	Edited Legal Citations For Plaintiffs' Reply In Support Of Motion For Class Certification	1.50	\$ 210.00	Efficiency	RW
790	4/3/2013	Bradford Kinsey	0.60	\$ 100.00	\$ 60.00	Retrieve related cases.		\$ 60.00		TM
791	4/3/2013	Erika Nusser	6.20	\$ 350.00	\$ 2,170.00	Analyzed and revised expert declaration and emails regarding the same [5]; worked on issues relating to motion to strike [3]; worked on response to motion for summary judgment [5.4]	1.40	\$ 1,680.00	Unsuccessful Claims	TM
792	4/3/2013	Jennifer Boschen	0.40	\$ 150.00	\$ 60.00	Prepared index of documents reviewed by expert [4].		\$ 60.00		TM
793	4/3/2013	Toby Marshall	11.00	\$ 475.00	\$ 5,225.00	Worked on reply in support of class certification and researched and analyzed issues regarding same [9.4]; worked on declaration of Mr. Head and researched and analyzed issues regarding same [1.6].	2.30	\$ 4,132.50	Unsuccessful Claims	TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 37
CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
794	4/4/2013	Greg Wolk	2.60	\$ 425.00	\$ 1,105.00	revise reply to class cert	0.70	\$ 807.50	Unsuccessful claims	RW
795	4/4/2013	Greg Wolk	0.60	\$ 425.00	\$ 255.00	revise reply section on CPA claim	0.60	\$ -	Unsuccessful claims	RW
796	4/4/2013	Greg Wolk	2.30	\$ 425.00	\$ 977.50	revise orientation section on opp SJM (2); confer w co-counsel re same (.3)		\$ 977.50		RW
797	4/4/2013	Hardeep Rekhi	4.13	\$ 425.00	\$ 1,755.25	Research legal response	1.03	\$ 1,316.44	Unsuccessful Claims	RW
798	4/4/2013	Hardeep Rekhi	2.32	\$ 425.00	\$ 984.58	Research legal issues regarding response	0.58	\$ 738.44	Unsuccessful Claims	RW
799	4/4/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Document Management	0.10	\$ -	Administrative	RW
800	4/4/2013	Erika Nusser	8.40	\$ 350.00	\$ 2,940.00	Emails regarding case strategy issues [4]; worked on response to motion for summary judgment [6.9]; analyzed and revised reply in support of motion for class certification [9]; emails regarding case strategy issues [2]	2.00	\$ 2,240.00	Unsuccessful Claims	TM
801	4/4/2013	Jennifer Boschen	0.40	\$ 150.00	\$ 60.00	Prepared draft reply in support of Plaintiffs motion for class certification and correspondence regarding same [4].		\$ 60.00		TM
802	4/4/2013	Toby Marshall	9.30	\$ 475.00	\$ 4,417.50	Worked on reply in support of class certification and researched and analyzed issues regarding same [9.3].	2.30	\$ 3,325.00	Unsuccessful Claims	TM
803	4/5/2013	Greg Wolk	1.80	\$ 425.00	\$ 765.00	draft CPA section on opp to SJM	1.80	\$ -	Unsuccessful claims	RW
804	4/5/2013	Greg Wolk	1.70	\$ 425.00	\$ 722.50	revise reply to class cert	0.40	\$ 552.50	Unsuccessful claims	RW
805	4/5/2013	Hardeep Rekhi	1.57	\$ 425.00	\$ 665.83	worked on reply	0.39	\$ 499.38	Unsuccessful Claims	RW
806	4/5/2013	Hardeep Rekhi	1.88	\$ 425.00	\$ 800.65	worked on reply	0.47	\$ 600.49	Unsuccessful Claims	RW
807	4/5/2013	Bradford Kinsey	3.00	\$ 100.00	\$ 300.00	Reviewed, revised and finalized plaintiffs' reply in support of motion for class certification; finalized supplemental Marshall declaration; arranged filing and service.	0.75	\$ 225.00	Unsuccessful Claims	TM
808	4/5/2013	Eden Nordby	1.50	\$ 150.00	\$ 225.00	Worked on declaration and exhibits for reply to class certification motion.	0.40	\$ 165.00	Unsuccessful Claims	TM
809	4/5/2013	Erika Nusser	7.80	\$ 350.00	\$ 2,730.00	Worked on reply in support of motion for class certification and supporting documents, and revised and finalized the same for filing [5.5]; telephone conference regarding case strategy issues [3]; worked on response to motion for summary judgment [2]	1.00	\$ 2,380.00	Unsuccessful Claims	TM
810	4/5/2013	Hannah Buckendorf	1.00	\$ 50.00	\$ 50.00	Created a notebook to send to Judge Lasnik.		\$ 50.00		TM
811	4/6/2013	Greg Wolk	0.60	\$ 425.00	\$ 255.00	analyze rest break preemption section to opp SJM		\$ 255.00		RW
812	4/6/2013	Hardeep Rekhi	1.19	\$ 425.00	\$ 505.04	Research and draft and analyze brief related to preemption		\$ 505.04		RW
813	4/6/2013	Erika Nusser	6.90	\$ 350.00	\$ 2,415.00	Worked on response to motion for summary judgment [6.9]	1.70	\$ 1,820.00	Unsuccessful Claims	TM
814	4/7/2013	Greg Wolk	2.50	\$ 425.00	\$ 1,062.50	revise opp to SJM draft	0.60	\$ 807.50	Unsuccessful claims	RW
815	4/7/2013	Hardeep Rekhi	1.13	\$ 425.00	\$ 480.01	review and analyze draft response to SJ, revise motion, conduct legal research regarding the same, teleconference regarding the same		\$ 480.01		RW
816	4/7/2013	Erika Nusser	4.80	\$ 350.00	\$ 1,680.00	Worked on response to motion for summary judgment and supporting documents, and revisions thereto [3.7]; emails regarding case strategy issues [1.1]	1.20	\$ 1,260.00	Unsuccessful Claims	TM
817	4/7/2013	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Worked on response to motion for summary judgment [5].	0.10	\$ 190.00	Unsuccessful Claims	TM
818	4/8/2013	Greg Wolk	1.60	\$ 425.00	\$ 680.00	revise opp to SJM draft - orientation section		\$ 680.00		RW
819	4/8/2013	Greg Wolk	2.00	\$ 425.00	\$ 850.00	finalize opp to SJM	0.50	\$ 637.50	Unsuccessful claims	RW
820	4/8/2013	Hardeep Rekhi	0.86	\$ 425.00	\$ 366.68	Review and revise CPA section; review and revise SJ response; Teleconference with Co-Counsel regarding the same	0.40	\$ 196.68	Unsuccessful Claims	RW
821	4/8/2013	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Document Management Re Reply Iso Plaintiffs' Motion For Class Certification & Supplemental Declaration Of Toby J. Marshall Iso Plaintiffs' Motion Of Class Certification; Emailed Co-Counsel Re Updates For Motion	0.50	\$ -	Administrative	RW
822	4/8/2013	Bradford Kinsey	2.20	\$ 100.00	\$ 220.00	Reviewed, revised and finalized plaintiffs' response to defendant's motion for partial summary judgment; finalized Head declaration; finalized Marshall declaration; prepared table of contents and table of authorities; arranged filing and service.	0.50	\$ 170.00	Unsuccessful Claims	TM
823	4/8/2013	Eden Nordby	5.00	\$ 150.00	\$ 750.00	Worked on exhibits and declaration in support of response to Defendants' motion for partial summary judgment.	1.30	\$ 555.00	Unsuccessful Claims	TM
824	4/8/2013	Erika Nusser	8.00	\$ 350.00	\$ 2,800.00	Worked on revisions to response to motion for summary judgment and supporting documents, and finalized the same for filing [8]	2.00	\$ 2,100.00	Unsuccessful Claims	TM
825	4/8/2013	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Worked on response to motion for summary judgment [8].	0.20	\$ 285.00	Unsuccessful Claims	TM
826	4/9/2013	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Saved & Reviewed Plaintiffs' Opposition To Defendant's Motion For Partial Summary Judgment, [Proposed] Order Denying Defendant's Motion For Partial Summary Judgment, Decl. Of Toby Marshall Iso Plaintiff's Response To Defendant's Motion For Partial Summary Judgment & Ex. 1-33	0.50	\$ -	Administrative	RW
827	4/9/2013	Bradford Kinsey	0.40	\$ 100.00	\$ 40.00	Arranged delivery of plaintiffs' response to defendant's motion for partial summary judgment to chambers.		\$ 40.00		TM
828	4/9/2013	Bradford Kinsey	0.80	\$ 100.00	\$ 80.00	Review correspondence from and to opposing counsel regarding Head declaration exhibits; prepared draft and finalized preacipe; assembled exhibits.		\$ 80.00		TM
829	4/9/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails from and to Ms. Tadano regarding plaintiffs' filings in response to defendant's motion for summary judgment [1]; emails regarding the same [1]		\$ 70.00		TM
830	4/9/2013	Hannah Buckendorf	1.00	\$ 50.00	\$ 50.00	Notebook for Judge Lasnik re motion for summary judgment.		\$ 50.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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AND REIMBURSEMENT OF LITIGATION COSTS - 38
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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
831	4/10/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Teleconference With HSR, Gaw, & Co-Counsel Re Next Steps		\$ 15.00		RW
832	4/10/2013	Bradford Kinsey	0.40	\$ 100.00	\$ 40.00	Arranged filing and service of praecipe to attach documents; arranged delivery to chambers.		\$ 40.00		TM
833	4/10/2013	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Worked on refileing documents in support of plaintiffs' response to motion for summary judgment [3]		\$ 105.00		TM
834	4/11/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Praecipe To Attach Documents - Ex. A & B To Richard Head Decl.	0.20	\$ -	Administrative	RW
835	4/13/2013	Greg Wolk	1.60	\$ 425.00	\$ 680.00	analyze Knight reply to SJM	0.40	\$ 510.00	Unsuccessful claims	RW
836	4/15/2013	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Review SJ REPLY	0.13	\$ 159.38	Unsuccessful claims	RW
837	4/15/2013	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Document Management For Defendant'S Reply Iso Motion For Partial Sj, 2013.4.12 Supplemental Decl. Of Stellman Keehnel Iso Defendant'S Reply Iso Motion For Partial Sj & Ex. A-G, And Supplemental Decl. Of Kevin Quast Iso Defendant'S Reply Iso Motion For Partial Sj	0.50	\$ -	Administrative	RW
838	4/17/2013	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails regarding subpoena to Qualcomm [1]		\$ 35.00		TM
839	4/23/2013	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Email to Ms. Tadano regarding class list for Qualcomm subpoena [1]; conference regarding case strategy [2]		\$ 105.00		TM
840	4/24/2013	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Emails from and to Mr. Bull regarding Qualcomm subpoena [4]		\$ 140.00		TM
841	4/25/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Requested Cd For L&I	0.20	\$ -	Administrative	RW
842	4/25/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Requested Cd For L&I	0.20	\$ -	Administrative	RW
843	4/26/2013	Hannah Buckendorf	0.50	\$ 50.00	\$ 25.00	Sent documents via Sharefile for TJM to Co-counsel.	0.50	\$ -	Administrative	TM
844	4/26/2013	Jennifer Boschen	0.30	\$ 150.00	\$ 45.00	Worked on production issues and correspondence regarding same [3].		\$ 45.00		TM
845	4/30/2013	Greg Wolk	3.20	\$ 425.00	\$ 1,360.00	review LNI REOT PRA response	3.20	\$ -	Unsuccessful claims	RW
846	4/30/2013	Jason Proctor	0.90	\$ 150.00	\$ 135.00	Document Management Re Letter & Documents Received From L & I Pursuant To PRA Request For Reot Materials; Emailed Co-Counsel; Mailed Dvd	0.90	\$ -	Administrative	RW
847	4/30/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding L&I response to records request [2]		\$ 70.00		TM
848	5/3/2013	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Teleconference With L & I And Gaw Re PRA Request For Reot Material; Reviewed Documents	0.50	\$ -	Administrative/Unsuccessful Claims	RW
849	5/5/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed E-Mail From Tm To Opposing Counsel Re Amended Abbott Report	0.20	\$ -	Efficiency	RW
850	5/8/2013	Hannah Buckendorf	1.00	\$ 50.00	\$ 50.00	Bates labeled documents regarding Max Tena. Combined 50 files and OCR'd to ready for production.		\$ 50.00		TM
851	5/9/2013	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Correspondence regarding document production.		\$ 30.00		TM
852	5/10/2013	Greg Wolk	2.40	\$ 425.00	\$ 1,020.00	review LNI REOT PRA respone	2.40	\$ -	Unsuccessful claims	RW
853	5/10/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Document Management Re Max Tena Documents From Co-Counsel	0.10	\$ -	Administrative	RW
854	5/10/2013	Eden Nordby	0.50	\$ 150.00	\$ 75.00	Transmittal letter to opposing counsel regarding document production; served document production; updated production log.		\$ 75.00		TM
855	5/10/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Reviewed Tena documents for production [1].		\$ 47.50		TM
856	5/14/2013	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	Review recent case law on FAAAA; report to co-counsels regarding the same		\$ 467.50		RW
857	5/14/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Aziz Pro Se Docket; Reviewed Documents	0.20	\$ -	Relevance	RW
858	5/14/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding recent supreme court case on FAAA preemption and email correspondence with co-counsel regarding same [1].		\$ 47.50		TM
859	5/15/2013	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Emails and telephone conference with Mr. Bull regarding production from Qualcomm [5]		\$ 175.00		TM
860	5/22/2013	Erika Nusser	0.90	\$ 350.00	\$ 315.00	Email and letter from Mr. Bull regarding Qualcomm production and objections to subpoena [4]; analyzed production [5]		\$ 315.00		TM
861	5/23/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Strategized Case Re L & I Documents, Defendant's Motion For Summary Judgment & Reot Issue	0.20	\$ -	Unsuccessful claims	RW
862	5/23/2013	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Email regarding production from Qualcomm [1]; analyzed the same [4]		\$ 175.00		TM
863	5/24/2013	Jason Proctor	2.70	\$ 150.00	\$ 405.00	Reviewed Email To And From Co-Counsel Re Qualcomm Records; Document Management Re Qualcomm Production; Strategized Case Re Discovery	2.40	\$ 45.00	Administrative	RW
864	5/28/2013	Hardeep Rekhi	0.25	\$ 425.00	\$ 106.25	Analyze and discuss LNI documents regarding REOT	0.25	\$ -		RW
865	5/30/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Telephone conference with co-counsel regarding supplemental filing on class certification		\$ 85.00		RW
866	5/30/2013	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Review new case law; review local rules regarding supplemental briefing; discuss the same with Co-counsel		\$ 340.00		RW
867	5/30/2013	Jason Proctor	1.50	\$ 150.00	\$ 225.00	Drafted Plaintiffs' Notice Of Supplemental Authority Re Individualized Damages; E-Filed Supplement	1.00	\$ 75.00	Administrative/Efficiency	RW
868	5/30/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with co-counsel regarding supplemental filing on class certification [2].		\$ 95.00		TM
869	6/3/2013	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	Review recent Case law; follow up on Court Deadlines		\$ 297.50		RW
870	6/6/2013	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Email co-counsel re discovery deadlines		\$ 42.50		RW
871	6/21/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Telephone conference with co-counsel regarding discovery issues		\$ 85.00		RW
872	6/21/2013	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails regarding scheduling and case strategy issues [1]		\$ 35.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
 PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
 AND REIMBURSEMENT OF LITIGATION COSTS - 39
 CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
873	6/21/2013	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Telephone conference with co-counsel regarding discovery issues [2]; analyzed issues regarding same and case strategy [2].		\$ 190.00		TM
874	6/26/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email And Invoice From Co-Counsel; Document Management	0.20	\$ -	Administrative	RW
875	6/26/2013	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Email correspondence with co-counsel regarding status of case and discovery plan [1]; reviewed production from Qualcomm and analyzed issues regarding same [2]; analyzed issues regarding expert services [1].		\$ 190.00		TM
876	6/28/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding expert and discovery deadlines [1].		\$ 47.50		TM
877	7/3/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Telephone call from co-counsel		\$ 85.00		RW
878	7/3/2013	Hardeep Rekhi	0.17	\$ 425.00	\$ 70.83	Teleconference with co-counsel		\$ 70.83		RW
879	7/3/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone call from co-counsel regarding [redacted] [2].		\$ 95.00		TM
880	7/8/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding deadline for expert disclosures [1].		\$ 47.50		TM
881	7/9/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From Co-Counsel; Strategized Deadlines; Emailed HSR & Gaw Re Calendar	0.20	\$ -	Administrative/Efficiency	RW
882	7/9/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding extension of case scheduling deadlines and email correspondence with co-counsel regarding same [2]; left message with opposing counsel regarding same [1].		\$ 142.50		TM
883	7/11/2013	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Email regarding extending case scheduling deadlines [1]		\$ 35.00		TM
884	7/11/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone call from opposing counsel regarding request for extension of case scheduling deadlines [1].		\$ 47.50		TM
885	7/12/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Co-Counsel; Strategized Deadlines; Emailed HSR, Gaw & Co-Counsel Re Calendar	0.10	\$ -	Administrative/Efficiency	RW
886	7/17/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Exchanged messages with client regarding [redacted] [1].		\$ 47.50		TM
887	7/22/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Saved & Reviewed Email From Opposing Counsel & Co-Counsel Re Three Month Extension	0.10	\$ -	Efficiency	RW
888	7/22/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding scheduling issues [2]		\$ 70.00		TM
889	7/22/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding extension of case scheduling deadlines [1]; email correspondence with co-counsel and opposing counsel regarding same [1]; worked on case strategy issues [1].		\$ 142.50		TM
890	7/23/2013	Greg Wolk	0.50	\$ 425.00	\$ 212.50	Review proposed deadlines (2); analyze next steps (3)		\$ 212.50		RW
891	7/24/2013	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Reviewed and revised stipulation to extend case scheduling deadlines [3]		\$ 105.00		TM
892	7/24/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding extension of case scheduling deadlines [1].		\$ 47.50		TM
893	7/25/2013	Greg Wolk	0.90	\$ 425.00	\$ 382.50	teleconference w co-counsel re next steps		\$ 382.50		RW
894	7/25/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Strategized Case Re Discovery; Reviewed Email Correspondence With Co-Counsel; Document Management	0.20	\$ 15.00	Administrative	RW
895	7/25/2013	Erika Nusser	1.10	\$ 350.00	\$ 385.00	Telephone conference with co-counsel regarding [redacted][9]; emails regarding the same [2]		\$ 385.00		TM
896	7/25/2013	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Telephone conference with co-counsel regarding case strategy and discovery issues [9].		\$ 427.50		TM
897	7/26/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding case strategy issues [2]		\$ 70.00		TM
898	7/26/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Worked on stipulation extending case scheduling deadlines [3].		\$ 142.50		TM
899	7/29/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Saved And Reviewed Ecf Re Stipulation & [Proposed] Order Extending Case Schedule Deadlines & PRAecipe To Stipulation & [Proposed] Order Extending Case Schedule Deadlines;				
900	7/30/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Emailed HSR & Gaw Re Filing	0.30	\$ -	Administrative	RW
901	7/30/2013	Jason Proctor	2.10	\$ 150.00	\$ 315.00	Review and finalize draft rogs		\$ 85.00		RW
902	7/31/2013	Jason Proctor	1.60	\$ 150.00	\$ 240.00	Saved, Reviewed, And Calendared Minute Order From Ecf	2.10	\$ -	Administrative	RW
903	8/1/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Drafted Discovery Requests, Delivered To Opposing Counsel; E-Mailed To Opposing Counsel And Co-Counsel	1.00	\$ 90.00	Administrative	RW
904	8/1/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
905	8/5/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
906	8/13/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Ecf Notice Of Change Of Address	0.10	\$ -	Administrative	RW
907	8/13/2013	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft and finalized TMDW notice of change of address; arranged filing and service.		\$ 30.00		TM
908	8/14/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Voicemail for and telephone conference with Ms. Laird regarding Comdata's response to subpoena [2]		\$ 70.00		TM
909	8/19/2013	Greg Wolk	0.40	\$ 425.00	\$ 170.00	Review docu re comdata card (2); confer w HSR re docs (2)		\$ 170.00		RW
910	8/19/2013	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Reviewed Email From Erika Nusser Re Comdata Reports For Helde; Document Management; Emailed HSR & Gaw Re Comdata	0.50	\$ -	Administrative/Efficiency	RW
911	8/19/2013	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Analyzed sample production from Comdata and emails regarding the same [4]		\$ 140.00		TM
912	8/21/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Gaw E-Mail To Co-Counsel Re Comdata	0.10	\$ -	Efficiency	RW
913	8/21/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Email from co-counsel regarding [redacted] [2]		\$ 70.00		TM
914	9/3/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed E-Mail From Opposing Counsel; Document Management; Reviewed Defendant'S Responses And Objections To Plaintiffs' Second Set Of Rogs And Rfops	0.20	\$ -	Administrative/Efficiency	RW
915	9/4/2013	Greg Wolk	0.70	\$ 425.00	\$ 297.50	Review email from clerk; analyze Wang; confer w HSR and co-counsel		\$ 297.50		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
916	9/4/2013	Hardeep Rekhi	0.17	\$ 425.00	\$ 70.83	Teleconference with client		\$ 70.83		RW
917	9/4/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From Co-Counsel & Court Clerk & HSR Re Oral Argument On Defendant's Motion For S.J. And Plaintiffs' Motion For Class Certification; Reviewed Calendar	0.20	\$ -	Administrative	RW
918	9/4/2013	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft of notice of supplemental authority.		\$ 30.00		TM
919	9/4/2013	Erika Nusser	0.80	\$ 350.00	\$ 280.00	Analyzed new Ninth Circuit case [.5]; emails regarding case strategy issues [.2]; worked on notice of supplemental authority [.1]		\$ 280.00		TM
920	9/4/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding submission of supplemental authority [.1]; exchanged messages and email correspondence with opposing counsel, co-counsel, and court regarding scheduling of hearing on class certification and summary judgment [.1].		\$ 95.00		TM
921	9/5/2013	Greg Wolk	1.10	\$ 425.00	\$ 467.50	Review Knight's discovery to our recent requests		\$ 467.50		RW
922	9/5/2013	Hardeep Rekhi	0.17	\$ 425.00	\$ 70.83	Email Correspondence regarding case status		\$ 70.83		RW
923	9/5/2013	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Reviewed Email From Co-Counsel To Teri Roberts Re Oral Argument On Defendant's Motion For S.J. And Plaintiffs' Motion For Class Certification; Reviewed Email From Teri Roberts; Calendared Hearing; Reviewed Minute Order Setting Hearing On Defendant's [51] Motion For Partial Summary Judgment And Plaintiffs' [37] Motion To Certify Class & Notice Of Request For Video Recording Of Motion Hearing; Conferred With HSR Re Hearing	0.40	\$ -	Administrative/Efficiency	RW
924	9/5/2013	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Reviewed, revised and finalized plaintiffs' second notice of supplemental authority; arranged filing and service.		\$ 30.00		TM
925	9/5/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding case strategy issues [.2]		\$ 70.00		TM
926	9/5/2013	Hannah Buckendorf	3.40	\$ 50.00	\$ 170.00	Created two case management notebooks for TJM and ELN regarding, 1) Plaintiff's Motion for Class Certifications, and 2) Defendant's motion for Summary Judgement. (Including all declarations and exhibits)	3.40	\$ -	Administrative	TM
927	9/5/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding impact on case of amended decision in Wang [.2].		\$ 95.00		TM
928	9/6/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From Co-Counsel; Reviewed Documents; Emailed Co-Counsel	0.10	\$ 15.00	Administrative/Efficiency	RW
929	9/8/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Reviewed Comdata production and analyzed issues regarding same [.1]; reviewed defendant's most recent discovery responses and analyzed issues regarding same [.1]; reviewed court request for video recording of class certification and summary judgment hearing and analyzed issues regarding same [.1].		\$ 142.50		TM
930	9/9/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed E-Mail From Toby Marshall Re Comdata	0.10	\$ -	Administrative/Efficiency	RW
931	9/9/2013	Hannah Buckendorf	1.50	\$ 50.00	\$ 75.00	Completed notebooks for TJM and ELN. Discussed missing exhibit status.	1.50	\$ -	Administrative	TM
932	9/9/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
933	9/10/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	email opposing counsel re deposition of client		\$ 127.50		RW
934	9/10/2013	Hardeep Rekhi	0.17	\$ 425.00	\$ 70.83	Email Correspondence regarding case status		\$ 70.83		RW
935	9/10/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Toby Marshall To Kerry Simonds Re Response To Request For Video Recording; Reviewed Plaintiffs' Response To Request For Consent To Video Recording; Reviewed	0.10	\$ -	Administrative/Efficiency	RW
936	9/10/2013	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
937	9/10/2013	Hannah Buckendorf	0.20	\$ 50.00	\$ 10.00	Printing, scanning, and filing for TJM regarding request for consent to video recording.		\$ 10.00		TM
938	9/10/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Email to court clerk regarding response to request for video recording of upcoming hearing [.1]; analyzed issues regarding impact on class certification issues of amended decision in Wang [.2].		\$ 142.50		TM
939	9/11/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
940	9/13/2013	Hardeep Rekhi	0.17	\$ 425.00	\$ 70.83	email with co-counsel regarding strategy for hearing		\$ 70.83		RW
941	9/16/2013	Hardeep Rekhi	0.17	\$ 425.00	\$ 70.83	Review various briefing relating to class certification in preparation for Meeting		\$ 70.83		RW
942	9/16/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email Correspondence Between HSR & Co-Counsel Re Hearing	0.10	\$ -	Administrative/Efficiency	RW
943	9/16/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding case strategy issues [.2]		\$ 70.00		TM
944	9/16/2013	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Analyzed issues regarding argument for hearing on class certification and summary judgment [.2]; analyzed issues regarding discovery, experts, and factual background [.5].		\$ 332.50		TM
945	9/17/2013	Toby Marshall	3.10	\$ 475.00	\$ 1,472.50	Reviewed filings in preparation for hearing on motion for class certification and researched, analyzed issues regarding same, and worked on outline for argument [3.1].	0.80	\$ 1,092.50	Unsuccessful Claims	TM
946	9/18/2013	Greg Wolk	1.70	\$ 425.00	\$ 722.50	Confer w HSR and co-counsel re hearing and next steps (1.2); research Knight's retention requirements (.5)		\$ 722.50		RW
947	9/18/2013	Hardeep Rekhi	2.90	\$ 425.00	\$ 1,231.20	review case law; review prior arguments; prepare for meeting regarding strategy hearing	0.72	\$ 923.40	unsuccessful claims	RW
948	9/18/2013	Hardeep Rekhi	1.16	\$ 425.00	\$ 491.82	review case law; review prior arguments; prepare for meeting regarding strategy hearing	0.29	\$ 368.86	unsuccessful claims	RW
949	9/18/2013	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	Confer w co-counsel re hearing and next steps	0.25	\$ 403.75	Unsuccessful Claims	RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
950	9/18/2013	Jason Proctor	0.60	\$ 150.00	\$ 90.00	Reviewed Email From Toby Marshall; Reviewed Becerra Decision; Conducted Legal Research; Reviewed Plaintiffs' Third Notice Of Supplemental Authority; Reviewed Email From Gaw	0.40	\$ 30.00	Administrative/Efficiency	RW
951	9/18/2013	Bradford Kinsey	0.60	\$ 100.00	\$ 60.00	Amended master caption; prepared draft of plaintiffs' third notice of supplemental authority; arranged filing and service.		\$ 60.00		TM
952	9/18/2013	Erika Nusser	1.30	\$ 350.00	\$ 455.00	Emails regarding retention of driver's records and researched the same [2]; telephone conference with co-counsel regarding same [1.1]		\$ 455.00		TM
953	9/18/2013	Toby Marshall	4.00	\$ 475.00	\$ 1,900.00	Continued reviewing materials in preparation for hearing on class certification and summary judgment, researched and analyzed issues regarding same, and worked on outline for same [2.8]; telephone conference with co-counsel regarding same [1.1]; worked on supplemental authority filing for Becerra decision [1].	1.00	\$ 1,425.00	Unsuccessful Claims	TM
954	9/19/2013	Greg Wolk	1.50	\$ 425.00	\$ 637.50	Review preemption issue and new case law and briefing (1.1); telephone conference with co-counsel re hearing on summary judgment (.4)		\$ 637.50		RW
955	9/19/2013	Hardeep Rekhi	2.56	\$ 425.00	\$ 1,088.24	Review Certification Briefing	0.64	\$ 816.18	Unsuccessful Claims	RW
956	9/19/2013	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	telephone conference with co-counsel re hearing on summary judgment	0.10	\$ 127.50		RW
957	9/19/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed E-Mail From Gaw Re Briefing	0.10	\$ -	Administrative/Efficiency	RW
958	9/19/2013	Erika Nusser	6.00	\$ 350.00	\$ 2,100.00	Research and emails regarding preemption issues [1.1]; analyzed discovery responses and worked on letter regarding discovery [3.2]; researched recordkeeping requirements and factual issues relating to the same [1.7]		\$ 2,100.00		TM
959	9/19/2013	Toby Marshall	1.30	\$ 475.00	\$ 617.50	Researched and analyzed issues for hearing on summary judgment [.6]; telephone conference with co-counsel regarding same [.4]; worked on supplemental authority filing [1]; worked on discovery letter [2].	0.30	\$ 475.00	Unsuccessful Claims	TM
960	9/20/2013	Hardeep Rekhi	0.33	\$ 425.00	\$ 141.67	Review briefing; discuss supplement with G. Wolk; review case law regarding hearing		\$ 141.67		RW
961	9/20/2013	Jason Proctor	0.70	\$ 150.00	\$ 105.00	Reviewed Email From Co-Counsel Re Meet & Confer; Reviewed Letter From Erika Nusser To Opposing Counsel Re Meet & Confer; Conducted Legal Research	0.50	\$ 30.00	Administrative/Efficiency	RW
962	9/20/2013	Bradford Kinsey	0.40	\$ 100.00	\$ 40.00	Prepared draft of and finalized notice of supplemental authority; arranged filing and service.		\$ 40.00		TM
963	9/20/2013	Toby Marshall	3.50	\$ 475.00	\$ 1,662.50	Continued reviewing materials for hearing on motions for class certification and summary judgment, continued working on outline for same, and continued researching and analyzing issues regarding same [3.5].	0.90	\$ 1,235.00	Unsuccessful Claims	TM
964	9/21/2013	Toby Marshall	5.20	\$ 475.00	\$ 2,470.00	Worked on outline for hearing on class certification and summary judgment and researched and analyzed issues regarding same [4.8]; reviewed defendants' supplemental authorities [4].	1.30	\$ 1,852.50	Unsuccessful Claims	TM
965	9/22/2013	Toby Marshall	3.30	\$ 475.00	\$ 1,567.50	Worked on outline for hearing on class certification and summary judgment and researched and analyzed issues regarding same [3.3].	0.80	\$ 1,187.50	Unsuccessful Claims	TM
966	9/23/2013	Greg Wolk	2.40	\$ 425.00	\$ 1,020.00	Review briefing for hearing	0.60	\$ 765.00	Unsuccessful claims	RW
967	9/23/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Document Management; Reviewed Defendant's Notice Of Supplemental Authority; Reviewed Email From Toby Marshall Re Plaintiffs' Claims; Reviewed Email & Letter From Nusser Re Meet And Confer	0.30	\$ -	Administrative/Efficiency	RW
968	9/23/2013	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Reviewed Defendants' document production for examples of daily logs.		\$ 60.00		TM
969	9/23/2013	Erika Nusser	1.80	\$ 350.00	\$ 630.00	Analyzed Defendant's supplemental authority [.5]; emails regarding hearing on motions for class certification and summary judgment [.4]; analyzed factual and legal issues relating to recordkeeping requirements [.9]		\$ 630.00		TM
970	9/23/2013	Hannah Buckendorf	0.40	\$ 50.00	\$ 20.00	Updated case management notebook.	0.40	\$ -	Administrative	TM
971	9/23/2013	Toby Marshall	2.90	\$ 475.00	\$ 1,377.50	Email to co-counsel regarding factual background issues [.1]; worked on same [.4]; revised outline for hearing on class certification and summary judgment [.4]; reviewed various factual background issues in preparation for same [2.0].	0.60	\$ 1,092.50	Unsuccessful Claims	TM
972	9/23/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
973	9/24/2013	Greg Wolk	4.50	\$ 425.00	\$ 1,912.50	Meet w co-counsel to prep for hearing; research outstanding issue for hearing	1.10	\$ 1,445.00	Unsuccessful claims/Efficiency	RW
974	9/24/2013	Hardeep Rekhi	4.50	\$ 425.00	\$ 1,912.50	Meet w co-counsel to prep for hearing (3.5)	1.10	\$ 1,445.00		RW
975	9/24/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
976	9/24/2013	Erika Nusser	4.40	\$ 350.00	\$ 1,540.00	Meeting with co-counsel regarding hearing on motions for class certification and summary judgment [3.5]; analyzed legal and factual issues in preparation for the same [.9]		\$ 1,540.00		TM
977	9/24/2013	Toby Marshall	7.60	\$ 475.00	\$ 3,610.00	Worked on outline for hearing on motions for class certification and summary judgment [2.6]; researched and analyzed issues regarding same [1.6]; meeting with co-counsel regarding same [3.4].	1.90	\$ 2,707.50	Unsuccessful Claims	TM
978	9/25/2013	Greg Wolk	2.80	\$ 425.00	\$ 1,190.00	Attend hearing; research case law and issues from hearing	0.80	\$ 850.00	Unsuccessful claims/Efficiency	RW

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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
979	9/25/2013	Jason Proctor	2.70	\$ 150.00	\$ 405.00	Prepared For Hearing; Went To Courthouse; Met With Co-Counsel; Took Notes During Hearing; Went Back To Office; Emailed Co-Counsel; Reviewed Gaw Email & Case Law Sent To Co-Counsel	2.70	\$ -	Administrative/Efficiency	RW
980	9/25/2013	Jason Proctor	1.10	\$ 150.00	\$ 165.00	Legal Research Into Griffus; Reviewed Email From Tadano Re Griffus Transcript & Briefing	0.80	\$ 45.00	Administrative/Efficiency	RW
981	9/25/2013	Erika Nusser	4.10	\$ 350.00	\$ 1,435.00	Prepared for, traveled to, participated in, and returned from hearing on motions for class certification and summary judgment [3.7]; emails regarding legal and factual issues [3]; email from opposing counsel regarding supplemental briefing [1.1]		\$ 1,435.00		TM
982	9/25/2013	Toby Marshall	4.50	\$ 475.00	\$ 2,137.50	Prepared for, traveled to, participated in, and returned from hearing on motions for class certification and summary judgment [4.2]; telephone call from opposing counsel regarding discovery issues [2]; worked on same [1.1]	1.00	\$ 1,662.50	Unsuccessful Claims	TM
983	9/26/2013	Greg Wolk	0.70	\$ 425.00	\$ 297.50	Follow up on research from hearing; confer w co-counsel on supplementing authority		\$ 297.50		RW
984	9/26/2013	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Conferred With HSR & Gaw Re Griffus Transcript; Teleconference With Toby Marshall Re The Same & Discovery; Reviewed Email From HSR To Tadano Re Griffus Transcript	0.50	\$ -	Administrative/Efficiency	RW
985	9/26/2013	Erika Nusser	2.20	\$ 350.00	\$ 770.00	Analyzed choice of law research and emails and conference regarding the same [2.2]		\$ 770.00		TM
986	9/26/2013	Toby Marshall	1.60	\$ 475.00	\$ 760.00	Telephone call from co-counsel regarding [redacted][1.1]; reviewed decision regarding significant contacts analysis and analyzed issues regarding same [3.3]; worked on discovery issues [2]; telephone conference with opposing counsel regarding discovery issues [1.0]		\$ 760.00		TM
987	9/27/2013	Greg Wolk	1.00	\$ 425.00	\$ 425.00	Review response by defendant and transcript		\$ 425.00		RW
988	9/27/2013	Jason Proctor	0.80	\$ 150.00	\$ 120.00	Reviewed Email Correspondence Between HSR, Gaw, & Co-Counsel Re Supplemental Case Law; Reviewed Defendant'S Submission Of Transcript In Griffus V. Knight Transportation Re Sj On Per Diem Claim; Reviewed Hearing Transcript From Griffus V. Knight Transportation; Reviewed Client Documents	0.60	\$ 30.00	Administrative/Efficiency	RW
989	9/27/2013	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Emails regarding filing of transcript for supplemental briefing on class certification and summary judgment [1.1]; analyzed defendant's supplemental submission [2]		\$ 105.00		TM
990	9/30/2013	Greg Wolk	1.50	\$ 425.00	\$ 637.50	Review response, transcript and confer w co-counsel re our reply		\$ 637.50		RW
991	9/30/2013	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Confer with co-counsel re our reply		\$ 425.00		RW
992	9/30/2013	Erika Nusser	6.20	\$ 350.00	\$ 2,170.00	Reviewed transcript from summary judgment hearing in Griffus case and analyzed issues regarding same [9]; telephone conference with co-counsel regarding [redacted] [1.0]; email correspondence with co-counsel regarding [redacted] [5]; researched Oregon law and worked on supplemental brief regarding summary judgment in Griffus case [3.8]		\$ 2,170.00		TM
993	9/30/2013	Toby Marshall	3.60	\$ 475.00	\$ 1,710.00	Reviewed transcript from summary judgment hearing in Griffus case and analyzed issues regarding same [1.2]; researched and analyzed issues regarding deduction laws in Oregon [0.7]; telephone conference with co-counsel regarding same and strategy for distinguishing per diem decision [1.0]; email correspondence with co-counsel regarding same [4]; telephone call from opposing counsel regarding discovery issues [3]		\$ 1,710.00		TM
994	10/1/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
995	10/1/2013	Erika Nusser	1.20	\$ 350.00	\$ 420.00	Continued working on supplemental brief regarding summary judgment in Griffus case [9]; conference and emails regarding the same [3]		\$ 420.00		TM
996	10/1/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
997	10/2/2013	Greg Wolk	1.80	\$ 425.00	\$ 765.00	Revise and revise our draft response (1); confer with co-counsel re per diem decision in Griffus case (.8)		\$ 765.00		RW
998	10/2/2013	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	confer with co-counsel re per diem decision in Griffus case (.8)		\$ 340.00		RW
999	10/2/2013	Erika Nusser	0.80	\$ 350.00	\$ 280.00	Emails regarding supplemental brief regarding per diem decision in Griffus case [5]; conferences regarding same [3]		\$ 280.00		TM
1000	10/2/2013	Toby Marshall	2.80	\$ 475.00	\$ 1,330.00	Worked on supplemental brief regarding per diem decision in Griffus case [1.5]; researched and analyzed issues regarding same [5]; telephone calls from co-counsel regarding same [8]		\$ 1,330.00		TM
1001	10/3/2013	Greg Wolk	1.30	\$ 425.00	\$ 552.50	Revise response and confer w co-counsel		\$ 552.50		RW
1002	10/3/2013	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Reviewed Response; Conferred With Gaw & HSR Re Plaintiffs' Response To Defendant's Submission Of Transcript	0.50	\$ -	Administrative/Efficiency	RW
1003	10/3/2013	Bradford Kinsey	0.60	\$ 100.00	\$ 60.00	Reviewed, revised and finalized plaintiffs' supplemental brief; arranged filing and service.		\$ 60.00		TM
1004	10/3/2013	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Analyzed issues regarding supplemental briefing on per diem claim [1]; worked on response to defendant's submission of transcript [4]		\$ 237.50		TM
1005	10/10/2013	Greg Wolk	1.70	\$ 425.00	\$ 722.50	Reviewed Orders from Judge (.9); conferred with co-counsel (.8)		\$ 722.50		RW
1006	10/10/2013	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	conferred with co-counsel		\$ 340.00		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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AND REIMBURSEMENT OF LITIGATION COSTS - 43
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1007	10/10/2013	Jason Proctor	0.80	\$ 150.00	\$ 120.00	Reviewed Order Granting In Part Defendant's Motion For Summary Judgment; Reviewed Order Regarding Motion For Class Certification; Teleconference With Opposing Counsel	0.80	\$ -	Administrative/Efficiency	RW
1008	10/10/2013	Erika Nusser	0.90	\$ 350.00	\$ 315.00	Email to Ms. Laird regarding subpoena to Comdata [1]; analyzed orders on class certification and summary judgment and telephone conference with co-counsel regarding the same [8]		\$ 315.00		TM
1009	10/10/2013	Toby Marshall	2.20	\$ 475.00	\$ 1,045.00	Reviewed court's orders on summary judgment and class certification and analyzed issues regarding same [1.1]; telephone conference with co-counsel regarding same [1.0]; left message with [redacted] regarding [redacted] [1.1].	0.60	\$ 760.00	Unsuccessful Claims	TM
1010	10/14/2013	Greg Wolk	0.60	\$ 425.00	\$ 255.00	Confer w co-counsel re issues for motion to reconsider	0.60	\$ -	Unsuccessful claims	RW
1011	10/14/2013	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	Confer w co-counsel re issues for motion to reconsider	0.60	\$ -	Unsuccessful claims	RW
1012	10/14/2013	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Emails from and to Ms. Laird regarding Comdata's response to subpoena [2]; emails regarding factual issues related to overtime claim and motion for reconsideration [1]	0.10	\$ 70.00	Unsuccessful Claims	TM
1013	10/14/2013	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Telephone calls from [redacted] regarding [redacted] [3]; analyzed issues regarding same [1]; email to co-counsel regarding same [1]; meeting with co-counsel regarding same and strategy for reconsideration [2].	0.70	\$ -	Unsuccessful Claims	TM
1014	10/14/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1015	10/15/2013	Greg Wolk	0.60	\$ 425.00	\$ 255.00	Research REOT docs re reconsideration	0.60	\$ -	Unsuccessful claims	RW
1016	10/15/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed E-Mail From Toby Mashall; Reviewed E-Mail From Gaw To Co-Counsel	0.10	\$ -	Administrative/Efficiency	RW
1017	10/17/2013	Greg Wolk	0.60	\$ 425.00	\$ 255.00	Research agency review issues	0.60	\$ -	Unsuccessful claims	RW
1018	10/17/2013	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Email to Ms. Laird regarding subpoena to Comdata [1]		\$ 35.00		TM
1019	10/18/2013	Greg Wolk	0.90	\$ 425.00	\$ 382.50	Confer w co-counsel re mtn to reconsider	0.90	\$ -	Unsuccessful claims	RW
1020	10/18/2013	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	Confer w co-counsel re mtn to reconsider	0.90	\$ -	Unsuccessful claims	RW
1021	10/18/2013	Erika Nusser	0.90	\$ 350.00	\$ 315.00	Telephone conference with co-counsel regarding overtime claims and possible motion for reconsideration [5]; emails regarding same [4]	0.90	\$ -	Unsuccessful Claims	TM
1022	10/18/2013	Toby Marshall	2.00	\$ 475.00	\$ 950.00	Researched and analyzed issues regarding overtime claims and possible motion for reconsideration [1.5]; telephone conference with co-counsel regarding same [5].	2.00	\$ -	Unsuccessful Claims	TM
1023	10/21/2013	Greg Wolk	0.50	\$ 425.00	\$ 212.50	Confer and review mtn to reconsider (.3); discovery responses from opp counsel [2]	0.20	\$ 127.50	Unsuccessful claims	RW
1024	10/21/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Reviewed Email From Opposing Counsel; Reviewed Defendant's Supplemental Responses & Objections To P'S 2Nd Set Of Rogs; Conferred With Gaw Re The Same	0.30	\$ -	Administrative/Efficiency	RW
1025	10/21/2013	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Analyzed legal issues regarding reasonably equivalent overtime rule and emails regarding the same [3]	0.30	\$ -	Unsuccessful Claims	TM
1026	10/21/2013	Toby Marshall	4.20	\$ 475.00	\$ 1,995.00	Researched and analyzed issues regarding reconsideration of court's ruling on overtime claim [3]; memorandum to and email correspondence with co-counsel regarding same [3]; worked on motion for reconsideration and researched and analyzed issues regarding same [3.6].	4.20	\$ -	Unsuccessful Claims	TM
1027	10/22/2013	Greg Wolk	2.50	\$ 425.00	\$ 1,062.50	Review REOT docs from L&I	2.50	\$ -	Unsuccessful claims	RW
1028	10/22/2013	Jennifer Murray	0.30	\$ 450.00	\$ 135.00	Reviewed motion for reconsideration.	0.30	\$ -	Unsuccessful Claims	TM
1029	10/22/2013	Toby Marshall	4.80	\$ 475.00	\$ 2,280.00	Worked on motion for reconsideration and researched and analyzed issues regarding same [4.8]	4.80	\$ -	Unsuccessful Claims	TM
1030	10/23/2013	Greg Wolk	3.50	\$ 425.00	\$ 1,487.50	Review and revise mtn to reconsider	3.50	\$ -	Unsuccessful claims	RW
1031	10/23/2013	Bradford Kinsey	2.80	\$ 100.00	\$ 280.00	Reviewed, revised and finalized plaintiff's motion for reconsideration; prepared table of contents and table of authorities; arranged filing and service.	2.80	\$ -	Unsuccessful Claims	TM
1032	10/23/2013	Erika Nusser	0.80	\$ 350.00	\$ 280.00	Analyzed and worked on revisions to motion for reconsideration [5]; emails regarding case strategy issues [3]	0.50	\$ 105.00	Unsuccessful Claims	TM
1033	10/23/2013	Jennifer Murray	0.30	\$ 450.00	\$ 135.00	Reviewed motion for reconsideration.	0.30	\$ -	Unsuccessful Claims	TM
1034	10/23/2013	Toby Marshall	4.90	\$ 475.00	\$ 2,327.50	Worked on motion for reconsideration of decision dismissing overtime claim and researched and analyzed issues regarding same [4.0]; email correspondence with co-counsel regarding same [3]; researched and analyzed issues regarding requests to certify issues to state supreme court [4]; telephone call from opposing counsel regarding discovery and case scheduling issues [2].	4.70	\$ 95.00	Unsuccessful Claims	TM
1035	10/24/2013	Greg Wolk	1.00	\$ 425.00	\$ 425.00	Confer w co-counsel re next steps	0.30	\$ 297.50	Efficiency	RW
1036	10/24/2013	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Confer w co-counsel re next steps	0.30	\$ 297.50	Efficiency	RW
1037	10/24/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Plaintiffs' Motion For Reconsideration Of Order Grantin In Part D'S Motion For S]	0.30	\$ -	Administrative/Efficiency	RW
1038	10/24/2013	Erika Nusser	0.90	\$ 350.00	\$ 315.00	Telephone conference with co-counsel regarding discovery, damages and case strategy issues [9]		\$ 315.00		TM
1039	10/24/2013	Toby Marshall	3.40	\$ 475.00	\$ 1,615.00	Worked on trial plan and researched and analyzed issues regarding discovery and experts [2.2]; telephone conference with co-counsel regarding same [1.2].		\$ 1,615.00		TM

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 AND REIMBURSEMENT OF LITIGATION COSTS - 44
 CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1040	10/25/2013	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Telephone conference with opposing counsel regarding damages data and discovery [1.5].		\$ 712.50		TM
1041	10/28/2013	Greg Wolk	0.50	\$ 425.00	\$ 212.50	Confer w clients		\$ 212.50		RW
1042	10/28/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with co-counsel and [redacted] regarding [redacted] [1].		\$ 47.50		TM
1043	11/4/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding case scheduling deadlines and discovery [1]; email to opposing counsel regarding same [1].		\$ 95.00		TM
1044	11/5/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Confer w co-counsel re stip on dates and discovery (.1); review stip (.1)		\$ 85.00		RW
1045	11/5/2013	Hardeep Rekhi	0.13	\$ 425.00	\$ 55.37	Teleconference with co counsel		\$ 55.37		RW
1046	11/5/2013	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Confer w co-counsel re stip on dates and discovery		\$ 42.50		RW
1047	11/5/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed E-Mail And Stipulation From Co-Counsel	0.10	\$ -	Administrative/Efficiency	RW
1048	11/5/2013	Christine Stanley	0.70	\$ 100.00	\$ 70.00	Worked on stipulation regarding deadlines.		\$ 70.00		TM
1049	11/5/2013	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Telephone calls from opposing counsel regarding case scheduling deadlines and stipulation to extend same [3]; analyzed issues regarding same [2]; worked on stipulation [4]; email to opposing counsel regarding same [1]; telephone conference with co-counsel regarding same and damages data [1].		\$ 522.50		TM
1050	11/6/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	Telephone conference with opposing counsel and co-counsel re stipulation to extend deadlines		\$ 127.50		RW
1051	11/6/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed From Co-Counsel; Reviewed E-Mail From Opposing Counsel; Document Management	0.20	\$ -	Administrative/Efficiency	RW
1052	11/6/2013	Christine Stanley	0.30	\$ 100.00	\$ 30.00	Worked on and filed with the court stipulation regarding deadlines.		\$ 30.00		TM
1053	11/6/2013	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails regarding scheduling deadlines [1]		\$ 35.00		TM
1054	11/6/2013	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Telephone conferences with opposing counsel and co-counsel regarding stipulation to extend deadlines [3]; worked on same [2].		\$ 237.50		TM
1055	11/7/2013	Jason Proctor	0.90	\$ 150.00	\$ 135.00	Reviewed Stipulation & [Proposed] Order Extending Case Scheduling Deadlines; Reviewed Email & Ecf From Court Clerk; Reviewed Emails From Co-Counsel(3)	0.90	\$ -	Administrative/Efficiency	RW
1056	11/7/2013	Christine Stanley	0.20	\$ 100.00	\$ 20.00	Worked on letter to Max Tena.		\$ 20.00		TM
1057	11/7/2013	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding trial date [1]; email to Ms. Laird regarding Comdata's response to subpoena [1]		\$ 70.00		TM
1058	11/7/2013	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Analyzed issues regarding trial date and email correspondence with co-counsel, opposing counsel, and court regarding same [2]; worked on amended stipulation [2]; telephone call from opposing counsel regarding same [3]; worked on revisions to same [1]; attempted to contact Mr. Tena by phone and email correspondence with co-counsel regarding same [1].		\$ 427.50		TM
1059	11/8/2013	Greg Wolk	0.50	\$ 425.00	\$ 212.50	Confer w co-counsel re pushing dates out (.3); review stip (.2)		\$ 212.50		RW
1060	11/8/2013	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Confer w co-counsel re pushing dates out (.3)		\$ 127.50		RW
1061	11/8/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Amended Stipulation & [Proposed] Order Extending Case Scheduling Deadlines	0.10	\$ -	Administrative/Efficiency	RW
1062	11/8/2013	Christine Stanley	0.20	\$ 100.00	\$ 20.00	Worked on amended stipulation regarding case schedule and filed same with court.		\$ 20.00		TM
1063	11/8/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with co-counsel regarding case scheduling deadlines and discovery issues [2].		\$ 95.00		TM
1064	11/13/2013	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Email from Ms. Laird regarding Comdata's response to subpoena [1]		\$ 35.00		TM
1065	11/15/2013	Eden Nordby	2.20	\$ 150.00	\$ 330.00	Worked on class notice regarding class certification and exclusion request form.		\$ 330.00		TM
1066	11/15/2013	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails from and to Ms. Laird regarding subpoena to Comdata [1]		\$ 35.00		TM
1067	11/18/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	Review Order from Judge; confer w co-counsel re discovery		\$ 127.50		RW
1068	11/18/2013	Jason Proctor	1.30	\$ 150.00	\$ 195.00	Reviewed Amended Stipulation & Order Extending Case Scheduling Deadlines; Reviewed Order Denying Plaintiffs' Motion For Reconsideration; Calendared Amended Deadlines	1.30	\$ -	Administrative/Efficiency	RW
1069	11/18/2013	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1070	11/18/2013	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Email to co-counsel regarding cost for Comdata to respond to subpoena [1]; analyzed order denying motion for reconsideration and conference regarding the same and case strategy issues [4]	0.40	\$ 35.00	Unsuccessful Claims	TM
1071	11/18/2013	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Reviewed court's denial of motion to reconsider summary judgment ruling on overtime claim [1]; analyzed issues regarding same [2]; reviewed court's order amending case scheduling deadlines and trial date and analyzed issues regarding same [1].	0.30	\$ 47.50	Unsuccessful Claims	TM
1072	11/19/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1073	11/20/2013	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Calendared Deadlines		\$ 75.00	Administrative	RW
1074	11/20/2013	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1075	11/30/2013	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Worked on class notice form and researched and analyzed issues regarding same [1.0]; worked on exclusion request form [1].		\$ 522.50		TM
1076	12/1/2013	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Worked on class notice and exclusion request forms and researched and analyzed issues regarding same [5].		\$ 237.50		TM
1077	12/2/2013	Greg Wolk	0.30	\$ 425.00	\$ 127.50	Review class notice		\$ 127.50		RW

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	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1078	12/2/2013	Hardeep Rekhi	0.33	\$ 425.00	\$ 141.67	review newly decided case; review class notice; email correspondence regarding the same		\$ 141.67		RW
1079	12/2/2013	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Reviewed Email From Tm Re Exclusion Request Form, & Notice Re Class Certification; Reviewed Fjc Website Re Class Notice Requirements; Reviewed Drafts Of Documents	0.30	\$ -	Administrative/Efficiency	RW
1080	12/2/2013	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Reviewed class notice documents [.3]; analyzed decision on class certification in similar case involving truck drivers and emails regarding the same [.2]		\$ 175.00		TM
1081	12/2/2013	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding Swift class certification decision and impact on our case; email correspondence with co-counsel regarding same [.1].		\$ 47.50		TM
1082	12/3/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Review class notice revisions		\$ 85.00		RW
1083	12/3/2013	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	review communications from co-counsel		\$ 42.50		RW
1084	12/3/2013	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Reviewed Case Law; Reviewed Email Correspondence Re The Same; Reviewed Email From Tm To Opposing Counsel Re Notices	0.30	\$ 15.00	Administrative/Efficiency	RW
1085	12/3/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email to opposing counsel regarding draft class notice and exclusion request forms [.1]; analyzed issues regarding creation of notice website [.1].		\$ 95.00		TM
1086	12/5/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed E-Mail From Opposing Counsel Re Draft Notice Re Class Certification	0.10	\$ -	Administrative/Efficiency	RW
1087	12/6/2013	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Reviewed defendant's proposed revisions to notice and exclusion request forms and analyzed issues regarding same [.3]; email correspondence with co-counsel regarding same [.1]; worked on additional revisions to notice and exclusion request forms [.4]; email to opposing counsel regarding same [.1]; telephone call from opposing counsel regarding production of damages data [.1].		\$ 475.00		TM
1088	12/9/2013	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Co-Counsel Re Draft Notice Re Class Certification; Document Management	0.10	\$ -	Administrative/Efficiency	RW
1089	12/10/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email to [redacted] requesting [redacted] [.1]; analyzed issues regarding defendant's production of damages data [.1].	0.10	\$ 47.50	Unsuccessful Claims	TM
1090	12/16/2013	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Telephone conference with co-counsel regarding issues with damages data		\$ 85.00		RW
1091	12/19/2013	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From Tm To Opposing Counsel Re Draft Notice Of Class Certification; Reviewed Email Correspondence Between Tm & Opposing Counsel	0.20	\$ -	Administrative/Efficiency	RW
1092	12/19/2013	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Updated production log.		\$ 30.00		TM
1093	12/19/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Email to opposing counsel regarding status of class notice and exclusion forms [.1]; telephone call from [redacted] regarding [redacted] and email to co-counsel regarding same [.2].		\$ 142.50		TM
1094	12/20/2013	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on expert issues [.2].		\$ 95.00		TM
1095	12/23/2013	Bradford Kinsey	0.60	\$ 100.00	\$ 60.00	Reviewed, revised and finalized stipulation and proposed order regarding class notice; assembled exhibits.		\$ 60.00		TM
1096	12/23/2013	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone conference and email correspondence with opposing counsel regarding notice approval [.1]; worked on same [.2].		\$ 142.50		TM
1097	12/26/2013	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Reviewed, revised and finalized stipulation and proposed order regarding class notice; re-assembled exhibits; arranged filing and service; arranged delivery of proposed order and exhibits to chambers.		\$ 30.00		TM
1098	12/26/2013	Toby Marshall	3.70	\$ 475.00	\$ 1,757.50	Worked on stipulation for notice and exclusion forms and email from opposing counsel regarding same [.1]; analyzed damages data and worked on plan for having experts calculate damages [3.6].	0.90	\$ 1,330.00	Unsuccessful Claims	TM
1099	12/27/2013	Toby Marshall	2.00	\$ 475.00	\$ 950.00	Reviewed payroll data and analyzed issues regarding same [1.4]; email to opposing counsel regarding same [.5]; left message with and email to Dr. Munson regarding expert consultation [.1].	0.50	\$ 712.50	Unsuccessful Claims	TM
1100	12/30/2013	Jason Proctor	0.80	\$ 150.00	\$ 120.00	Reviewed Stipulation And [Proposed] Order Regarding Class Notice; Reviewed Email From Tm Re Knight Class List And Damages Data Production; Document Management; Reviewed Email Between Tm, Abbott & Munson Re Expert Work; Document Management; Reviewed Tm Email To Opposing Counsel	0.80	\$ -	Administrative/Efficiency	RW
1101	12/30/2013	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Worked on expert analyses and damages calculations and drafted email to Dr. Munson regarding data for same [.8].	0.20	\$ 285.00	Unsuccessful Claims	TM
1102	1/3/2014	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	email correspondence with co-counsel; review stip issues		\$ 255.00		RW
1103	1/3/2014	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Emails regarding appellate argument on overtime issues in related case [.2]; emails regarding discovery issues [.1]	0.20	\$ 35.00	Unsuccessful Claims	TM
1104	1/3/2014	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding damages data and email correspondence with opposing counsel regarding same [.2]; analyzed issues regarding expert consultation and email correspondence with Dr. Abbott and Dr. Munson regarding same [.1].		\$ 142.50		TM
1105	1/6/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Stipulation & Order Regarding Class Notice	0.10	\$ -	Administrative/Efficiency	RW
1106	1/6/2014	Erika Nusser	1.80	\$ 350.00	\$ 630.00	Travelled to and from and attended oral argument in Gordon Trucking case [1.8]	1.80	\$ -	Relevance	TM
1107	1/7/2014	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	review discovery		\$ 382.50		RW

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PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1108	1/7/2014	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	review correspondence from co-counsel	0.10	\$ 170.00	Unsuccessful Claims	RW
1109	1/7/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From Opposing Counsel; Reviewed Email From Tm To Opposing Counsel	0.20	\$ -	Administrative/Efficiency	RW
1110	1/7/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email correspondence regarding class notice mailing.		\$ 30.00		TM
1111	1/7/2014	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Emails regarding appellate argument on overtime issue in related case [.3]; emails regarding class notice [.1]	0.30	\$ 35.00	Relevance	TM
1112	1/7/2014	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Analyzed issues regarding appeal of overtime claim in related case and email correspondence with co-counsel regarding same [.3]; worked on class notice issues and email correspondence with opposing counsel regarding same [.4]; worked on expert and damage calculation issues [.2].	0.30	\$ 285.00	Relevance	TM
1113	1/8/2014	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1114	1/8/2014	Eden Nordby	1.30	\$ 150.00	\$ 195.00	Worked on finalizing class notice and exclusion request; email correspondence regarding same; worked on class list for notice mailing; drafted email to vendor regarding project.		\$ 195.00		TM
1115	1/8/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding class notice issues [.2]		\$ 70.00		TM
1116	1/8/2014	Jennifer Boschen	3.10	\$ 150.00	\$ 465.00	Worked on class notice website [3.1].		\$ 465.00		TM
1117	1/8/2014	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1118	1/9/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	review correspondence from co-counsel		\$ 85.00		RW
1119	1/9/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email correspondence with vendor regarding notice mailing project.		\$ 30.00		TM
1120	1/9/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding class notices issues [.1]; emails regarding discovery issues [.1]		\$ 70.00		TM
1121	1/9/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Worked on class notice issues [.1].		\$ 47.50		TM
1122	1/10/2014	Toby Marshall	2.70	\$ 475.00	\$ 1,282.50	Worked on notice website [.1]; worked on class notice issues [.1]; meeting with Mr. Munson regarding factual background issues and damages calculations [2.2]; worked on same [.3].	0.60	\$ 997.50	Unsuccessful Claims	TM
1123	1/15/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Conferred With Gaw Re Jeremie Moon		\$ 15.00		RW
1124	1/15/2014	Eden Nordby	0.30	\$ 150.00	\$ 45.00	Email correspondence regarding notice mailing; set up notice tracking spreadsheet [.3].		\$ 45.00		TM
1125	1/15/2014	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails regarding class notice [.1]		\$ 35.00		TM
1126	1/15/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with experts regarding damages analyses [.1].		\$ 47.50		TM
1127	1/16/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Confer with co-counsel re damages data		\$ 85.00		RW
1128	1/16/2014	Hardeep Rekhi	1.91	\$ 425.00	\$ 811.04	review data		\$ 811.04		RW
1129	1/16/2014	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	reviewed per diem data		\$ 382.50		RW
1130	1/16/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Confer with co-counsel re damages data		\$ 85.00		RW
1131	1/16/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Tm Re Knight Per Diem Data	0.10	\$ -	Administrative/Efficiency	RW
1132	1/16/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding discovery issues [.2]		\$ 70.00		TM
1133	1/16/2014	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Email correspondence with experts regarding work on damages calculations [.1]; telephone conference with co-counsel regarding issues with damages data [.2]; worked on same [.2]; telephone conference with opposing counsel regarding same, expert disclosure timing, and possibility of settlement negotiations [.7].	0.20	\$ 475.00	Unsuccessful Claims	TM
1134	1/17/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding discovery issues [.2]		\$ 70.00		TM
1135	1/17/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding additional data and information produced by Knight [.1]; email correspondence with expert, co-counsel, and opposing counsel regarding same [.1].		\$ 95.00		TM
1136	1/20/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	Review and reply to emails from co-counsel		\$ 85.00		RW
1137	1/20/2014	Toby Marshall	3.60	\$ 475.00	\$ 1,710.00	Prepared for meeting with experts and analyzed issues regarding damages calculations [.6]; meeting with experts regarding damages calculations and related issues [2.0]; analyzed issues regarding data and email to opposing counsel with questions about same [.4]; analyzed issues regarding calculation of regular rates of pay [.6].	0.70	\$ 1,377.50	Unsuccessful Claims	TM
1138	1/21/2014	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	reviewed spreadsheets from counsel		\$ 212.50		RW
1139	1/21/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email & Spreadsheet From Opposing Counsel	0.20	\$ -	Administrative/Efficiency	RW
1140	1/21/2014	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Telephone call from opposing counsel regarding damages data issues [.6]; worked on same [.1].		\$ 332.50		TM
1141	1/22/2014	Hannelore Ohaus	0.50	\$ 75.00	\$ 37.50	Ran skip trace searches for class members and remailed class notices.		\$ 37.50		TM
1142	1/23/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with Dr. Munson regarding damages calculations and data issues [.2].		\$ 95.00		TM
1143	1/24/2014	Hannelore Ohaus	0.60	\$ 75.00	\$ 45.00	Ran skip trace searches for class members and remailed class notices.		\$ 45.00		TM
1144	1/24/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone conference with Mr. Munson regarding damages calculations [.1].		\$ 47.50		TM
1145	1/27/2014	Greg Wolk	0.70	\$ 425.00	\$ 297.50	Review per diem support for expert report; review per diem research		\$ 297.50		RW
1146	1/27/2014	Hannelore Ohaus	2.00	\$ 75.00	\$ 150.00	Ran skip trace searches for class members and remailed class notices.		\$ 150.00		TM
1147	1/27/2014	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Telephone call from Dr. Munson regarding issues with damages data [1.0].	0.30	\$ 332.50	Unsuccessful Claims	TM
1148	1/29/2014	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review rule re expert reports		\$ 127.50		RW
1149	1/29/2014	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	review email correspondence and strategist discovery issues		\$ 212.50		RW
1150	1/29/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Telephone conference with class member regarding [redacted].		\$ 30.00		TM

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	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1151	1/29/2014	Toby Marshall	1.60	\$ 475.00	\$ 760.00	Worked on expert discovery issues [.1]; message from and telephone conferences with Dr. Munson regarding same [.6]; left messages with opposing counsel and Dr. Abbott regarding same [.1]; telephone call from and email correspondence with opposing counsel regarding problems with data [.7]; worked on same [.1].	0.20	\$ 665.00	Unsuccessful Claims	TM
1152	1/30/2014	Greg Wolk	0.70	\$ 425.00	\$ 297.50	Review data from expert and respond to co-counsel (.5); telephone call with co-counsel (.2)	0.20	\$ 212.50	Unsuccessful Claims	RW
1153	1/30/2014	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	review preliminary expert data; analyze the same	0.30	\$ 382.50	Unsuccessful Claims	RW
1154	1/30/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	telephone call with co-counsel		\$ 85.00		RW
1155	1/30/2014	Jason Proctor	0.70	\$ 150.00	\$ 105.00	Reviewed Deadlines; Reviewed Frpc 26(A)(2); Conferred With HSR & Gaw; Teleconference With Tm; Reviewed Email From Tm Re Preliminary Expert Analysis Of Data Issues & Attached Spreadsheet; Reviewed Email From Gaw Re The Same; Reviewed Email From Tm Re Deadline For Expert Report	0.70	\$ -	Administrative/Efficiency	RW
1156	1/30/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone call from co-counsel and email correspondence with co-counsel and opposing counsel regarding data issues and extension to deadline for expert report [.2].		\$ 95.00		TM
1157	2/3/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review communication from co-counsel re expert		\$ 85.00		RW
1158	2/3/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From Tm Re Invoice From Dr. Munson; Reviewed Invoice; Conferred With Gaw Re Invoice	0.20	\$ -	Administrative/Efficiency	RW
1159	2/4/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review communication from co-counsel		\$ 85.00		RW
1160	2/7/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Telephone conference with class member regarding [redacted].		\$ 30.00		TM
1161	2/10/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Telephone call from opposing counsel regarding issues with damages data [.4].		\$ 190.00		TM
1162	2/17/2014	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Worked on damages and case strategy issues [1.2].	0.20	\$ 475.00	Unsuccessful Claims	TM
1163	2/18/2014	Hardeep Rekhi	0.48	\$ 425.00	\$ 205.42	review correspondence from opposing counsel; follow up regarding the same		\$ 205.42		RW
1164	2/18/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone call from opposing counsel regarding status of damages calculations and data issues [.2].		\$ 95.00		TM
1165	2/19/2014	Greg Wolk	1.10	\$ 425.00	\$ 467.50	confer w co-counsel & HSR re next steps on discovery		\$ 467.50		RW
1166	2/19/2014	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	confer w co-counsel & HSR re next steps on discovery		\$ 467.50		RW
1167	2/19/2014	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Telephone conference with Dr. Munson regarding damages analyses and data issues [.6]; worked on same [.1]; telephone conference with co-counsel regarding issues with damages data, discovery, and case strategy [.9]; worked on expert issues [.1].	0.30	\$ 665.00	Unsuccessful Claims	TM
1168	2/24/2014	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Review email from co-counsel; review various issues related to expert; review client docs related to same	0.10	\$ 170.00	Unsuccessful Claims	RW
1169	2/24/2014	Toby Marshall	2.30	\$ 475.00	\$ 1,092.50	Email correspondence with Mr. Head regarding expert declaration [.1]; telephone conference with Dr. Munson regarding damages data and analyses [.4]; researched and analyzed issues regarding same [1.3]; left message with opposing counsel regarding status of expert report [.1]; telephone call from Mr. Head regarding expert report and additional discovery [.4].	0.40	\$ 902.50	Unsuccessful Claims	TM
1170	2/25/2014	Greg Wolk	0.50	\$ 425.00	\$ 212.50	review Head report and draft discovery		\$ 212.50		RW
1171	2/25/2014	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	reviewed Discovery		\$ 127.50		RW
1172	2/25/2014	Jason Proctor	0.70	\$ 150.00	\$ 105.00	Reviewed Email From Tm Re Knight Data Plots; Document Management; Reviewed Expert Report Of Rick Head; Reviewed Pls' First Rfas To Defendant; Reviewed Pls' Third Rfps To Defendant	0.70	\$ -	Administrative/Efficiency	RW
1173	2/25/2014	Christine Stanley	1.80	\$ 100.00	\$ 180.00	Worked on requests for production and requests for admission to defendant.		\$ 180.00		TM
1174	2/25/2014	Erika Nusser	0.70	\$ 350.00	\$ 245.00	Analyzed discovery requests and expert report and emails regarding the same[.7]	0.20	\$ 175.00	Unsuccessful Claims	TM
1175	2/25/2014	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Worked on discovery requests to Knight regarding tax, financial, and accounting records [.4]; worked on requests for admission to Knight regarding records of hours worked and researched and analyzed issues regarding same [.4]; worked on expert report of Mr. Head [.4]; telephone call from opposing counsel regarding damages data and settlement negotiations [.4]; worked on same [.1].		\$ 807.50		TM
1176	2/26/2014	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review draft discovery		\$ 127.50		RW
1177	2/26/2014	Hardeep Rekhi	0.75	\$ 425.00	\$ 318.75	Review discovery issues and draft regarding RFAs; teleconference with co-counsel		\$ 318.75		RW
1178	2/26/2014	Christine Stanley	0.40	\$ 100.00	\$ 40.00	Worked on discovery responses to defendants.		\$ 40.00		TM
1179	2/26/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding discovery requests [.2]		\$ 70.00		TM
1180	2/26/2014	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Worked on expert report and email correspondence with Mr. Head and co-counsel regarding same [.2]; worked on requests for admission and email correspondence with co-counsel regarding same [.4]; telephone call from Mr. Rekhi regarding same and settlement issues [.3]; reviewed data on orientation pay and email correspondence with Dr. Munson and co-counsel regarding same [.2].		\$ 522.50		TM

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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1181	2/27/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	reviewed emails from co-counsel		\$ 85.00		RW
1182	2/27/2014	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Reviewed Email From Co-Counsel; Document Management; Calendared Deadlines; Emailed Co-Counsel; Reviewed Email From Co-Counsel	0.30	\$ -	Administrative/Efficiency	RW
1183	2/27/2014	Christine Stanley	0.70	\$ 100.00	\$ 70.00	Worked on discovery requests to defendant Knight Transportation, Inc.; worked on Mr. Head's expert report.		\$ 70.00		TM
1184	2/27/2014	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Forwarded case documents to Rick Head.		\$ 60.00		TM
1185	2/27/2014	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Telephone conference with Dr. Munson regarding damages data and calculations [1.8]; analyzed issues regarding same and effect of delay on case schedule [2]; email correspondence with Dr. Munson regarding damages data [1.1]; left message with Mr. Beane regarding expert reports [1.1]; left message with Mr. Head regarding expert report [1.1]; telephone call from Mr. Head regarding same [1.1]; worked on Mr. Head's declaration [1.1].	0.30	\$ 570.00	Unsuccessful Claims	TM
1186	2/27/2014	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1187	2/28/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1188	2/28/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone call from Dr. Munson regarding damages analyses [2].		\$ 95.00		TM
1189	3/3/2014	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Telephone call from opposing counsel regarding expert, case deadline, and settlement issues [4]; worked on same [2].		\$ 285.00		TM
1190	3/3/2014	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1191	3/4/2014	Rachel Hoover	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1192	3/5/2014	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Meeting with damages expert regarding data and calculations [1.0].	0.30	\$ 332.50	Unsuccessful Claims	TM
1193	3/11/2014	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Telephone conference with Dr. Munson regarding damages calculations [5]; left message with Dr. Abbott regarding expert report [1.1].	0.20	\$ 190.00	Unsuccessful Claims	TM
1194	3/12/2014	Toby Marshall	1.60	\$ 475.00	\$ 760.00	Reviewed preliminary results from damages calculations and analyzed issues regarding same [8]; telephone conference with Dr. Munson regarding same [3]; reviewed materials regarding hours spent in orientation [5].	0.30	\$ 617.50	Unsuccessful Claims	TM
1195	3/13/2014	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Worked on damages issues [3]; telephone conferences with Dr. Munson regarding same [8].	0.30	\$ 380.00	Unsuccessful Claims	TM
1196	3/14/2014	Greg Wolk	0.60	\$ 425.00	\$ 255.00	confer w co-counsel re experts	0.20	\$ 170.00	Unsuccessful Claims	RW
1197	3/14/2014	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	confer w co-counsel re experts	0.20	\$ 170.00	Unsuccessful Claims	RW
1198	3/14/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Conferred With HSR & Gaw Re Deadline For Experts	0.10	\$ -	Administrative/Efficiency	RW
1199	3/14/2014	Toby Marshall	2.30	\$ 475.00	\$ 1,092.50	Prepared for and met with experts regarding damages calculations [1.5]; analyzed issues regarding case scheduling and left message with opposing counsel regarding same [2]; telephone call from opposing counsel regarding same [1.1]; telephone conferences with co-counsel regarding damages calculations and case scheduling issues [3]; worked on same [2].	0.40	\$ 902.50	Unsuccessful Claims	TM
1200	3/17/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From Jeff Munson Re Knight Damages Draft & Knight Plots; Document Management; Conferred With Gaw Re Expert	0.20	\$ -	Administrative/Efficiency	RW
1201	3/17/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone call from Dr. Munson regarding latest calculations [1.1]; reviewed data analysis plots [1.1].		\$ 95.00		TM
1202	3/18/2014	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Telephone calls from opposing counsel regarding expert issues and scheduling deadlines [5]; telephone call from Dr. Munson regarding damages data and calculations [1.0].	0.30	\$ 570.00	Unsuccessful Claims	TM
1203	3/19/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	review stip and approve		\$ 85.00		RW
1204	3/19/2014	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Reviewed Email From Tm; Reviewed Stipulation And Proposed Order To Extend Certain Case Schedule; Reviewed Email From Tm Re Expert & Most Recent Plots; Document Management; Reviewed Gaw Email To Tm	0.40	\$ -	Administrative/Efficiency	RW
1205	3/19/2014	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Analyzed stipulation to extend case schedule and emails regarding the same [3]		\$ 105.00		TM
1206	3/19/2014	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Analyzed issues regarding and worked on stipulation to extend certain case schedule deadlines [4]; file management and email correspondence with co-counsel regarding damages calculations [1.1].		\$ 237.50		TM
1207	3/20/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Gaw Email To Tm Re Expert Plots; Reviewed Email From Tm To Opposing Counsel Re Stip. To Extend Expert Discovery & Msj Deadlines; Reviewed Draft Stipulation And Proposed Order To Extend Certain Case Schedule	0.20	\$ -	Administrative/Efficiency	RW
1208	3/20/2014	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Telephone call from Dr. Munson regarding damages data and calculations [1.0]; researched and analyzed issues regarding hours of service and email to Dr. Munson regarding cap on weekly hours [3]; email correspondence with opposing counsel regarding extension of certain deadlines [1.1].	0.40	\$ 475.00	Unsuccessful Claims	TM
1209	3/21/2014	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Telephone conference with Dr. Munson regarding damages analyses and calculations [8]; worked on same [6].	0.30	\$ 522.50		TM
1210	3/24/2014	Christine Stanley	0.30	\$ 100.00	\$ 30.00	Worked on stipulation in regard to deadlines.		\$ 30.00		TM

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	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1211	3/24/2014	Toby Marshall	3.70	\$ 475.00	\$ 1,757.50	Meeting with Dr. Abbott and Dr. Munson regarding damages data, damages calculations, and expert report [1.9]; worked on same [1.8].	0.90	\$ 1,330.00	Unsuccessful Claims	TM
1212	3/25/2014	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Telephone conference with potential class member; email correspondence to attorney regarding same.		\$ 60.00		TM
1213	3/25/2014	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails regarding potential class member [1]		\$ 35.00		TM
1214	3/25/2014	Toby Marshall	6.40	\$ 475.00	\$ 3,040.00	Telephone conference with Dr. Munson regarding damages data and calculations [4]; worked on expert report [5.8]; telephone call from Dr. Munson regarding same [2].	1.60	\$ 2,280.00	Unsuccessful Claims	TM
1215	3/26/2014	Greg Wolk	1.10	\$ 425.00	\$ 467.50	confer w co-counsel [3]; review and revise expert draft report [8]	0.20	\$ 382.50	Unsuccessful Claims	RW
1216	3/26/2014	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Discussion w/ cocounsel re damages; review damages documents regarding the same;	0.30	\$ 297.50	Unsuccessful Claims	RW
1217	3/26/2014	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Reviewed Email Between Opposing Counsel & Tm Re Stipulation; Document Management; Reviewed Stipulation & [Proposed] Order Extending Certain Case Schedule Deadlines; Reviewed Email Between Gaw & Tm Re Expert Report & Damages Calculation; Document Management; Teleconference With Tm; Reviewed Email From Gaw To Tm Re Revisions	0.50	\$ -	Administrative/Efficiency	RW
1218	3/26/2014	Erika Nusser	0.90	\$ 350.00	\$ 315.00	Analyzed expert report and emails regarding the same [9]	0.20	\$ 245.00	Unsuccessful Claims	TM
1219	3/26/2014	Toby Marshall	2.70	\$ 475.00	\$ 1,282.50	Worked on expert report and email correspondence with experts regarding same [8]; email to co-counsel regarding same [2]; telephone conferences with co-counsel regarding same [5]; worked on revisions to expert report [4]; telephone conference with Dr. Munson regarding same [1]; telephone call from Dr. Abbott regarding same [2]; finalized report and related materials and email to opposing counsel regarding same [5].	0.70	\$ 950.00	Unsuccessful Claims	TM
1220	3/28/2014	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1221	3/31/2014	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Reviewed Email From Tm To Opposing Counsel Re Expert Report Of Dr. Robert Abbott; Document Management; Reviewed Stipulation & Order Extending Certain Case Schedule Deadlines; Calendared	0.40	\$ -	Administrative/Efficiency	RW
1222	3/31/2014	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1223	4/1/2014	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Document Management; Reviewed Defendant's Responses & Objections To Plaintiffs' First Set Of Rfas; Conferred With HSR Re Def0010763-Def0149538; Reviewed Defendant's Responses & Objections To Plaintiffs' Third Set Of Rfps	0.50	\$ -	Administrative/Efficiency	RW
1224	4/1/2014	Eden Nordby	0.50	\$ 150.00	\$ 75.00	Worked on issues regarding Defendant's document production.		\$ 75.00		TM
1225	4/1/2014	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails regarding discovery issues [1]		\$ 35.00		TM
1226	4/1/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding Knight's responses to RFAs and email correspondence with co-counsel regarding same [1]; worked on document management issues [1].		\$ 95.00		TM
1227	4/3/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From Co-Counsel; Document Management	0.20	\$ -	Administrative/Efficiency	RW
1228	4/3/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Forwarded Defendant's document production to co-counsel.		\$ 30.00		TM
1229	4/10/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re case strategy		\$ 85.00		RW
1230	4/10/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re case strategy		\$ 85.00		RW
1231	4/10/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with co-counsel regarding case strategy issues [2].		\$ 95.00		TM
1232	4/14/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From Tm Re Expert Invoice; Reviewed Invoice; Document Management; Reviewed Tm Email To Opposing Counsel Re Dennis Lopez	0.20	\$ -	Administrative/Efficiency	RW
1233	4/14/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with opposing counsel regarding status of individual left off of class list [1]; worked on document management issues [1].		\$ 95.00		TM
1234	4/18/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Emails Between Tm And HSR, Gaw & Opposing Counsel Re Teleconference On Monday; Calendared	0.20	\$ -	Administrative/Efficiency	RW
1235	4/18/2014	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails regarding discovery scheduling [1]		\$ 35.00		TM
1236	4/18/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email from opposing counsel regarding expert deposition and email correspondence with co-counsel regarding same [1]; worked on discovery issues [1].		\$ 95.00		TM
1237	4/21/2014	Greg Wolk	0.40	\$ 425.00	\$ 170.00	T/C w counsel re expert dep	0.10	\$ 127.50	Unsuccessful Claims	RW
1238	4/21/2014	Hardeep Rekhi	0.33	\$ 425.00	\$ 141.67	Teleconference with co-counsel and opposing counsel		\$ 141.67		RW
1239	4/21/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Emails Re Conference Call; Conferred With Gaw Re The Same; Reviewed Email From Tm Re Expert Invoice	0.20	\$ -	Administrative/Efficiency	RW
1240	4/21/2014	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Prepared for telephone conference with opposing counsel regarding experts and settlement negotiations [1]; participated in same [3]; telephone conference with co-counsel regarding same [2].		\$ 285.00		TM
1241	4/22/2014	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Left message with and email to Dr. Abbott regarding deposition dates [1]; analyzed issues regarding damages calculations for payroll card advance deductions [3]; telephone conference with Dr. Munson regarding same [1]; telephone call from Dr. Abbott regarding deposition and expert issues [1].		\$ 285.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 50
CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1242	4/23/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Tm Re Expert Deposition	0.10	\$ -	Administrative/Efficiency	RW
1243	4/24/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Tm To Opposing Counsel Re Deposition; Calendared	0.10	\$ -	Administrative/Efficiency	RW
1244	4/24/2014	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1245	4/24/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Email correspondence with opposing counsel and Dr. Abbott regarding deposition of Dr. Abbott [1]; analyzed issues regarding same [1]; telephone conference with Dr. Munson regarding preparation for deposition and issues with payroll advance deduction calculations [1]; worked on same [1].		\$ 190.00		TM
1246	4/25/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Emails Between HSR & Tm Re Prep Abbott; Calendared	0.20	\$ -	Administrative/Efficiency	RW
1247	4/25/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with experts regarding scheduling issues [1]; email correspondence with co-counsel regarding case strategy and settlement issues [1].		\$ 95.00		TM
1248	4/25/2014	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1249	4/25/2014	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Ran calculations for purposes of explaining recovery versus actual damages and interest in motion for preliminary approval [5].		\$ 237.50		TM
1250	4/28/2014	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	review notice of dep		\$ 127.50		RW
1251	4/28/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Reviewed subpoena duces tecum to Dr. Abbott and analyzed issues regarding same [4].		\$ 190.00		TM
1252	4/29/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Notice Of Deposition; Document Management	0.10	\$ -	Administrative/Efficiency	RW
1253	5/1/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	review objections re expert deposition notice		\$ 85.00		RW
1254	5/1/2014	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	review objections		\$ 42.50		RW
1255	5/1/2014	Jason Proctor	0.40	\$ 150.00	\$ 60.00	Reviewed Email From Tm Re Objections And Responses To Document Requests In Abbott Dep Notice; Reviewed Plaintiffs' Objections And Responses To Notice Of Deposition Of Dr. Robert Abbott; Reviewed Email From HSR Re The Same; Reviewed Email From Gaw	0.40	\$ -	Administrative/Efficiency	RW
1256	5/1/2014	Christine Stanley	0.20	\$ 100.00	\$ 20.00	Worked on objections to the deposition notice of Dr. Abbott.		\$ 20.00		TM
1257	5/1/2014	Toby Marshall	3.20	\$ 475.00	\$ 1,520.00	Analyzed issues regarding data and damages calculations for expert reports [5]; telephone conferences with Dr. Munson regarding same [7]; researched and analyzed issues regarding document requests in notice of deposition of Dr. Abbott [8]; worked on objections and responses to same [1.0]; left message with Dr. Abbott regarding same [1]; telephone call from Dr. Abbott regarding same [1].	0.30	\$ 1,377.50	Unsuccessful Claims	TM
1258	5/2/2014	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Review various emails from opposing counsel and co counsel		\$ 212.50		RW
1259	5/2/2014	Toby Marshall	2.00	\$ 475.00	\$ 950.00	Analyzed issues regarding expert report and damages calculations and prepared for meeting with experts in preparation for deposition [2.0].	0.50	\$ 712.50	Unsuccessful Claims	TM
1260	5/3/2014	Greg Wolk	4.40	\$ 425.00	\$ 1,870.00	expert deposition prep	1.10	\$ 1,402.50	Unsuccessful Claims	RW
1261	5/3/2014	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Dep prep	0.10	\$ 170.00	Unsuccessful Claims	RW
1262	5/3/2014	Hardeep Rekhi	3.91	\$ 425.00	\$ 1,660.45	Dep prep of Expert witness	1.00	\$ 1,235.45	Unsuccessful Claims	RW
1263	5/3/2014	Hardeep Rekhi	2.04	\$ 425.00	\$ 868.42	Dep prep of Expert witness	0.50	\$ 655.92	Unsuccessful Claims	RW
1264	5/3/2014	Toby Marshall	5.60	\$ 475.00	\$ 2,660.00	Meeting with Dr. Abbott, Dr. Munson, and co-counsel regarding amended report and preparation for deposition [4.0]; worked on amended report [1.5]; telephone call from Dr. Abbott regarding same [1].	1.40	\$ 1,995.00	Unsuccessful Claims	TM
1265	5/5/2014	Hardeep Rekhi	8.00	\$ 425.00	\$ 3,400.00	Dep of Expert witness	2.00	\$ 2,550.00	Unsuccessful Claims	RW
1266	5/5/2014	Toby Marshall	8.20	\$ 475.00	\$ 3,895.00	Prepared for, traveled to, and defended deposition of Dr. Abbott and meetings with Dr. Abbott, Dr. Munson, and co-counsel regarding same [8.2].	2.00	\$ 2,945.00	Unsuccessful Claims	TM
1267	5/6/2014	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	follow up on outstanding issues related to deposition and discovery and expert report	0.10	\$ 170.00	Unsuccessful Claims	RW
1268	5/6/2014	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Worked on case strategy issues [1]; worked on amendments to damages calculations [6]; telephone call from Dr. Munson regarding same [5].	0.30	\$ 427.50	Unsuccessful Claims	TM
1269	5/7/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Tm Re Abbott Invoice; Reviewed Invoice; Document Management	0.10	\$ -	Administrative/Efficiency	RW
1270	5/7/2014	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Researched and analyzed issues regarding compensation for time expert spends preparing for deposition [2]; email correspondence with opposing counsel regarding expert fees, amended expert report, and extension on rebuttal report [1].		\$ 142.50		TM
1271	5/9/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Email From From Tm & Jeff Munson Re Updated/Amended Report; Document Management; Reviewed Email From Eric Beane Re Dennis Lopez	0.20	\$ -	Administrative/Efficiency	RW
1272	5/9/2014	Toby Marshall	2.70	\$ 475.00	\$ 1,282.50	Telephone call from Dr. Munson regarding revised damages analyses and calculations [1.2]; worked on second amended expert report [1.4]; email correspondence with Dr. Munson and Dr. Abbott regarding same [1].	0.70	\$ 950.00	Unsuccessful Claims	TM
1273	5/10/2014	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Telephone conference with Dr. Abbott regarding second amended expert report [3]; worked on finalizing second amended expert report of Dr. Abbott and documents supporting same [7]; email to opposing counsel regarding same [2].	0.30	\$ 427.50	Unsuccessful Claims	TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 51
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1274	5/12/2014	Greg Wolk	0.40	\$ 425.00	\$ 170.00	review settlement offer (.2); confer with co-counsel (.2)		\$ 170.00		RW
1275	5/12/2014	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Review Settlement issues		\$ 212.50		RW
1276	5/12/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel		\$ 85.00		RW
1277	5/12/2014	Jason Proctor	1.10	\$ 150.00	\$ 165.00	Reviewed Email From Tm Re Settlement(2); Document Management; Calculated Fees & Costs; Reviewed Email From Tm Re Second Amended Report Of Dr. Abbott; Conferred With HSR & Gaw Re Fees & Costs	1.10	\$ -	Administrative/Efficiency	RW
1278	5/12/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding settlement issues [.2]		\$ 70.00		TM
1279	5/12/2014	Toby Marshall	2.20	\$ 475.00	\$ 1,045.00	Worked on settlement analysis and prepared spreadsheet regarding same [.2.]; telephone call from and email correspondence with co-counsel regarding same [.2.];		\$ 1,045.00		TM
1280	5/13/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regading settlement issues [.2]		\$ 70.00		TM
1281	5/13/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on settlement strategy issues [.2.];		\$ 95.00		TM
1282	5/14/2014	Hardeep Rekhi	0.15	\$ 425.00	\$ 64.46	Telephone calls to clients; email client; email co-counsel		\$ 64.46		RW
1283	5/14/2014	Hardeep Rekhi	0.17	\$ 425.00	\$ 72.13	Telephone calls to clients; email client; email co-counsel		\$ 72.13		RW
1284	5/14/2014	Hardeep Rekhi	0.13	\$ 425.00	\$ 56.67	Telephone calls to clients; email client; email co-counsel		\$ 56.67		RW
1285	5/14/2014	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Reviewed Email From Tm Re Settlement Offer; Reviewed Email From HSR Re The Same; Conferred With HSR Re Settlement; Reviewed Email From HSR Re Calling Clients; Conferred With HSR Re The Same	0.30	\$ -	Administrative/Efficiency	RW
1286	5/14/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding extension of expert rebuttal report deadline [.1.];		\$ 47.50		TM
1287	5/15/2014	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Telephone calls to clients; email client; email co-counsel		\$ 42.50		RW
1288	5/15/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Teleconference With Kevin Helde; Teleconference With Max Tena		\$ 30.00		RW
1289	5/15/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with co-counsel regarding communications with clients about settlement issues [.1.];		\$ 47.50		TM
1290	5/16/2014	Jason Proctor	0.20	\$ 150.00	\$ 30.00	Reviewed Emails Between Tm & Opposing Counsel Re Knight'S Rebuttal Report; Reviewed Emails Between HSR & Tm Re Settlement	0.20	\$ -	Administrative/Efficiency	RW
1291	5/19/2014	Greg Wolk	0.10	\$ 425.00	\$ 42.50	review settlement offer		\$ 42.50		RW
1292	5/19/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Tm Re Jeff Munson Invoice; Reviewed Invoice	0.10	\$ -	Administrative/Efficiency	RW
1293	5/19/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding settlement offer [.2]		\$ 70.00		TM
1294	5/19/2014	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Worked on settlement proposal and email correspondence with co-counsel and opposing counsel regarding same [.1.0.];		\$ 475.00		TM
1295	5/20/2014	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review report by opp expert		\$ 127.50		RW
1296	5/20/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Tm, HSR & Gaw Re Settlement Offer	0.10	\$ -	Administrative/Efficiency	RW
1297	5/20/2014	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Reviewed rebuttal report of Ms. Kwan and analyzed issues regarding same [.6.];		\$ 285.00		TM
1298	5/21/2014	Greg Wolk	1.00	\$ 425.00	\$ 425.00	confer w co-counsel re export report & next steps		\$ 425.00		RW
1299	5/21/2014	Greg Wolk	2.00	\$ 425.00	\$ 850.00	confer w HSR and opp counsel re subpoena & discovery issues & settlement		\$ 850.00		RW
1300	5/21/2014	Hardeep Rekhi	0.50	\$ 425.00	\$ 213.68	Review Expert Report	0.10	\$ 171.18	Unsuccessful Claims	RW
1301	5/21/2014	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Reviewed Email From Nicole Tidano; Reviewed Rebuttal Expert Report Of Sonya Kwon, Mba, In Support Of Defendant Knight Transportation, Inc.; Document Management; Reviewed Emails Between Tm, HSR, & Gaw Re The Same; Calendared Teleconference	0.50	\$ -	Administrative/Efficiency	RW
1302	5/21/2014	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Prepared for and participated in conference with co-counsel regarding expert and case strategy issues [.8.];	0.20	\$ 285.00	Unsuccessful Claims	TM
1303	5/27/2014	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer w counsel re settlement deadline		\$ 42.50		RW
1304	5/27/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Tm Re Knight Settlement Talks	0.10	\$ -	Administrative/Efficiency	RW
1305	5/27/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding settlement issues [.2]		\$ 70.00		TM
1306	5/27/2014	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Analyzed issues regarding settlement [.2.]; telephone conference with opposing counsel regarding same [.4.]; email to opposing counsel regarding same [.1.];		\$ 332.50		TM
1307	6/2/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Tm Email To Opposing Counsel Re Abbott Invoice	0.10	\$ -	Administrative/Efficiency	RW
1308	6/2/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with Dr. Abbott and opposing counsel regarding status of payment for expert deposition invoice [.1.];		\$ 47.50		TM
1309	6/3/2014	Greg Wolk	0.10	\$ 425.00	\$ 42.50	Confer with co-counsel regarding Knight's challenge to expert deposition invoice		\$ 42.50		RW
1310	6/3/2014	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	Research issues re expert Deposition; teleconference with co-counsel		\$ 170.00		RW
1311	6/3/2014	Jason Proctor	0.30	\$ 150.00	\$ 45.00	Rewiewed Email From Tm Re Message From Eric Beane Re Settlement Negotiations; Reviewed Voicemail; Reviewed Emails Between Tm, Gaw & Nichole Tadano Re Abbott Invoice; Document Management	0.30	\$ -	Administrative/Efficiency	RW
1312	6/3/2014	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Emails and conference regarding motion for partial summary judgment [.3]		\$ 105.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 52
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1313	6/3/2014	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Analyzed issues regarding Knight's challenge to expert deposition invoice [.2]; analyzed issues regarding settlement negotiations [.2]; telephone conference with co-counsel regarding same [.1]; analyzed issues regarding motion for summary judgment to apply Mt. Clemens burden-shifting standard [.2]; prepared for and participated in telephone conference with opposing counsel regarding settlement negotiations [.3].		\$ 475.00		TM
1314	6/5/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Conference and emails regarding motion for partial summary judgment [.2]		\$ 70.00		TM
1315	6/5/2014	Toby Marshall	1.60	\$ 475.00	\$ 760.00	Worked on motion for summary judgment on recordkeeping violations [1.5]; worked on settlement issues [.1].		\$ 760.00		TM
1316	6/6/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Email From Tm Re Settlement Conference; Calendared	0.10	\$ -	Administrative/Efficiency	RW
1317	6/9/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Gaw E-Mail To Co-Counsel	0.10	\$ -	Administrative/Efficiency	RW
1318	6/9/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding settlement [.1].		\$ 47.50		TM
1319	6/10/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer w JP re client presence at settlement conference and email co-counsel		\$ 85.00		RW
1320	6/10/2014	Jason Proctor	0.70	\$ 150.00	\$ 105.00	Reviewed Emails Between Tm & Gaw; Conferred With Gaw Re Settlement Conference; Teleconference With Kevin Helde; Left Message For Jon Bodily; Left Message For Max Tena; Emailed HSR & Gaw Re The Same; Teleconference With Max Tena; Emailed HSR & Gaw Re The Same; Teleconference With Jon Bodily; Emailed HSR & Gaw To The Same; Reviewed Emails Between Gaw & Tm Re The Same	0.50	\$ 30.00	Administrative/Efficiency	RW
1321	6/10/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding settlement [.1].		\$ 47.50		TM
1322	6/11/2014	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1323	6/12/2014	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Reviewed Emails Between Gaw & Tm Re Sj; Reviewed Documents From Tm; Document Management	0.50	\$ -	Administrative/Efficiency	RW
1324	6/12/2014	Erika Nusser	1.00	\$ 350.00	\$ 350.00	Emails and telephone conference regarding motion for partial summary judgment and commenced review of materials relating to the same [1]		\$ 350.00		TM
1325	6/13/2014	Christine Stanley	0.20	\$ 100.00	\$ 20.00	Worked on plaintiffs' motion for partial summary judgment and related documents.		\$ 20.00		TM
1326	6/13/2014	Erika Nusser	3.10	\$ 350.00	\$ 1,085.00	Researched legal and factual issues and commenced working on motion for partial summary judgment [3.1]		\$ 1,085.00		TM
1327	6/16/2014	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	Worked on summary judgment motion	0.50	\$ 637.50		RW
1328	6/16/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Revised Email & Letter From Opposing Counsel Re Document Production	0.10	\$ -	Administrative/Efficiency	RW
1329	6/16/2014	Erika Nusser	5.60	\$ 350.00	\$ 1,960.00	Telephone conference with expert regarding factual issues and declaration in support of motion for partial summary judgment [.2]; researched legal and factual issues and worked on motion for partial summary judgment [5.4]		\$ 1,960.00		TM
1330	6/17/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Emails Between Tm & Opposing Counsel	0.10	\$ -	Administrative/Efficiency	RW
1331	6/17/2014	Erika Nusser	7.20	\$ 350.00	\$ 2,520.00	Researched legal and factual issues and worked on motion for partial summary judgment [7.2]		\$ 2,520.00		TM
1332	6/17/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with Dr. Abbott and opposing counsel regarding invoice for deposition time [.1].		\$ 47.50		TM
1333	6/18/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Emails Between HSR & Tm Re Settlement Conference; Calendared	0.10	\$ -	Administrative/Efficiency	RW
1334	6/18/2014	Toby Marshall	1.90	\$ 475.00	\$ 902.50	Worked on motion for summary judgment regarding recordkeeping [1.9].		\$ 902.50		TM
1335	6/19/2014	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review draft SJ motion		\$ 127.50		RW
1336	6/19/2014	Hardeep Rekhi	1.30	\$ 425.00	\$ 552.50	Worked on summary judgment motion	0.33	\$ 414.38		RW
1337	6/19/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Conferred With Gaw Re Motion For Partial Sj	0.10	\$ -	Administrative/Efficiency	RW
1338	6/19/2014	Christine Stanley	1.50	\$ 100.00	\$ 150.00	Worked on motion for summary judgment and related documents.		\$ 150.00		TM
1339	6/19/2014	Eden Nordby	0.80	\$ 150.00	\$ 120.00	Worked on exhibits in support of motion for summary judgment.		\$ 120.00		TM
1340	6/19/2014	Erika Nusser	6.10	\$ 350.00	\$ 2,135.00	Worked on declaration of expert and telephone conference and emails to expert regarding the same [.5]; worked on revisions to motion for partial summary judgment and supporting documents, and finalized the same for filing [5.6]		\$ 2,135.00		TM
1341	6/19/2014	Toby Marshall	3.80	\$ 475.00	\$ 1,805.00	Worked on motion for summary judgment and supporting documents [1.1]; telephone conferences with Dr. Munson regarding expert declaration in support of same [1.5]; worked on Dr. Munson's declaration [1.2].		\$ 1,805.00		TM
1342	6/20/2014	Christine Stanley	0.20	\$ 100.00	\$ 20.00	Worked on stipulation regarding mediation deadlines.		\$ 20.00		TM
1343	6/20/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1344	6/20/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Analyzed issues regarding expert invoice and email correspondence with Dr. Abbott regarding same [.1]; worked on stipulation to extend mediation deadline and email correspondence with opposing counsel regarding same [.3].	0.10	\$ 142.50	Administrative	TM
1345	6/20/2014	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1346	6/23/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	review Knight's counter-offer		\$ 85.00		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 53
CASE NO. 2:12-CV-00904-RSL

1	A Date	B Professional	C Units	D Price	E Value	F Narrative	G Writedown	H Revised Value	I Writedown Explanation	J Firm
1347	6/23/2014	Jason Proctor	0.50	\$ 150.00	\$ 75.00	Reviewed Emails Between Gaw, Tm, & En Re Motion For Summary Judgment; Reviewed Plaintiffs' Motion For Partial Summary Judgment, Declaration Of Erika L. Nusser Iso Plaintiffs' Motion For Partial Summary Judgment, & Declaration Of Jeffrey Munson, Ph.D. Iso Plaintiffs' Motion For Partial Summary Judgment; Reviewed Emails Between Tm & Opposing Counsel Re Stip & Prop Order Re Mediation; Reviewed Stip & Prop Order Re Mediation; Reviewed Letter From Eric Beane Re Settlement - Fre 408; Emailed HSR & Gaw Re Settlement	0.50	\$ -	Administrative/Efficiency	RW
1348	6/23/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Reviewed defendant's settlement offer and analyzed issues regarding same [.2].		\$ 95.00		TM
1349	6/24/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Reviewed counter offer from Knight and emails regarding the same [.2]		\$ 70.00		TM
1350	6/25/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Conferred With Gaw Re Settlement Offer	0.10	\$ -	Efficiency	RW
1351	6/25/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Reviewed recent class notice decision regarding similar case [1].	0.10	\$ -	Relevance	TM
1352	6/26/2014	Jason Proctor	0.10	\$ 150.00	\$ 15.00	Reviewed Stipulation & Order Extending Mediation Deadline; Calendared	0.10	\$ -	Administrative	RW
1353	6/26/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1354	6/26/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Worked on settlement issues [1].		\$ 47.50		TM
1355	6/27/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding settlement [1]; worked on issues regarding Knight's payment to Dr. Abbott for deposition [1].		\$ 95.00		TM
1356	6/27/2014	Torrie Marshall	0.10	\$ 100.00	\$ 10.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1357	6/29/2014	Toby Marshall	2.70	\$ 475.00	\$ 1,282.50	Prepared and worked on strategy for settlement meeting [2.7].		\$ 1,282.50		TM
1358	6/30/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer w HSR re settlement		\$ 85.00		RW
1359	6/30/2014	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	review settlement issues and strategy		\$ 340.00		RW
1360	6/30/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Email correspondence with co-counsel regarding preparation for settlement meeting [1]; worked on preparations for settlement meeting [3].		\$ 190.00		TM
1361	7/1/2014	Greg Wolk	6.00	\$ 425.00	\$ 2,550.00	attend settlement conference		\$ 2,550.00		RW
1362	7/1/2014	Erika Nusser	8.00	\$ 350.00	\$ 2,800.00	Prepared for, traveled to, participated in, and returned from settlement conference [8].		\$ 2,800.00		TM
1363	7/1/2014	Toby Marshall	9.10	\$ 475.00	\$ 4,322.50	Prepared for, traveled to, participated in, and returned from settlement conference [9.1].		\$ 4,322.50		TM
1364	7/2/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Email correspondence with co-counsel regarding settlement negotiations [1]; worked on strategy for settlement and mediation [3].		\$ 190.00		TM
1365	7/3/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re settlement negotiations		\$ 85.00		RW
1366	7/3/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re settlement negotiations		\$ 85.00		RW
1367	7/3/2014	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone conference with co-counsel regarding selection of mediator and settlement strategy [2]; email correspondence with opposing counsel regarding selection of mediator [1].		\$ 142.50		TM
1368	7/7/2014	Christine Stanley	0.10	\$ 100.00	\$ 10.00	Worked on reply in support of motion for summary judgment.		\$ 10.00		TM
1369	7/8/2014	Erika Nusser	3.60	\$ 350.00	\$ 1,260.00	Conference and emails regarding reply in support of motion for summary judgment [3]; commenced working on reply in support of motion for summary judgment [3.3]		\$ 1,260.00		TM
1370	7/8/2014	Toby Marshall	2.00	\$ 475.00	\$ 950.00	Reviewed Knight's response to motion for summary judgment, researched and analyzed issues regarding same, and worked on strategy for reply [2.0].		\$ 950.00		TM
1371	7/9/2014	Erika Nusser	3.80	\$ 350.00	\$ 1,330.00	Worked on reply in support of motion for summary judgment [3.8]		\$ 1,330.00		TM
1372	7/9/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on mediation issues [2].		\$ 95.00		TM
1373	7/10/2014	Greg Wolk	1.10	\$ 425.00	\$ 467.50	confer w co-counsel and review new 9th circuit case		\$ 467.50		RW
1374	7/10/2014	Erika Nusser	8.20	\$ 350.00	\$ 2,870.00	Analyzed Ninth Circuit decision regarding preemption of rest break claims and emails regarding the same [5]; worked on reply in support of motion for summary judgment [7.7]		\$ 2,870.00		TM
1375	7/10/2014	Marc Cote	0.40	\$ 375.00	\$ 150.00	Analyzed issues regarding case strategy in light of Ninth Circuit opinion holding that meal and rest break laws are not preempted.	0.40	\$ -	Efficiency	TM
1376	7/10/2014	Toby Marshall	3.00	\$ 475.00	\$ 1,425.00	Reviewed Ninth Circuit decision in Dilts and analyzed issues regarding impact on case and settlement [1.2]; emails to co-counsel regarding same [5]; worked on damages calculations for rest break claims [1.0]; email to opposing counsel regarding impact of Dilts on settlement negotiations [1]; worked on reply in support of summary judgment motion on recordkeeping violations [2].		\$ 1,425.00		TM
1377	7/11/2014	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer w co-counsel re case and settlement strategy		\$ 170.00		RW
1378	7/11/2014	Hardeep Rekhi	0.64	\$ 425.00	\$ 270.82	Analysis and discussion of dilts		\$ 270.82		RW
1379	7/11/2014	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	confer w co-counsel re case and settlement strategy		\$ 170.00		RW
1380	7/11/2014	Christine Stanley	0.40	\$ 100.00	\$ 40.00	Worked on reply in support of motion for summary judgment and proposed order, filed same with Court.		\$ 40.00		TM
1381	7/11/2014	Erika Nusser	4.10	\$ 350.00	\$ 1,435.00	Emails regarding case strategy and settlement issues [2]; worked on reply in support of motion for summary judgment and revisions to the same and finalized for filing [3.9]		\$ 1,435.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 54
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1382	7/11/2014	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Worked on reply in support of summary judgment motion [4]; telephone conference with co-counsel regarding case and settlement strategy issues [4]; left message with opposing counsel regarding impact of Dilts on case and settlement negotiations [1.1]; analyzed issues regarding same [1.1]; telephone conferences with opposing counsel regarding same [3]; worked on scheduling of mediation [1.1].		\$ 665.00		TM
1383	7/14/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with co-counsel and opposing counsel regarding mediation [1.1].		\$ 47.50		TM
1384	7/15/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Left message with opposing counsel regarding mediation scheduling [1.1]; analyzed issues timing of mediation and Knight's preparedness for same [2]; email correspondence with co-counsel regarding same [1.1].		\$ 190.00		TM
1385	7/16/2014	Christine Stanley	0.20	\$ 100.00	\$ 20.00	Worked on plaintiffs' motion for revision of summary judgment order and determination of class certification on rest break claims.		\$ 20.00		TM
1386	7/16/2014	Toby Marshall	5.40	\$ 475.00	\$ 2,565.00	Worked on motion to revise summary judgment order on rest break claims and researched and analyzed issues regarding same [5.2]; telephone conferences with opposing counsel regarding extension on case schedule deadlines [1.1]; analyzed issues regarding same [1.1].		\$ 2,565.00		TM
1387	7/17/2014	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review and revise motions to vacate and stay; contact clients re mediation		\$ 127.50		RW
1388	7/17/2014	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	review filings		\$ 382.50		RW
1389	7/17/2014	Christine Stanley	1.30	\$ 100.00	\$ 130.00	Worked on motion to revise for summary judgment order and class certification in regard to rest break claims and motion to vacate case scheduling order, and related documents; worked on e-service agreement; worked on updating caption to reflect Notice of Appearance of Mr. Swaminathan.	0.10	\$ 120.00	Administrative	TM
1390	7/17/2014	Toby Marshall	2.70	\$ 475.00	\$ 1,282.50	Worked on revisions to motion to reinstate and certify rest break claims [5]; worked on motion to vacate trial date and stay case schedule deadlines [2.0]; worked on proposed orders for motions [1.1]; email correspondence with opposing counsel regarding motion to vacate trial date [1.1].		\$ 1,282.50		TM
1391	7/18/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1392	7/18/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding mediation [1.1].		\$ 47.50		TM
1393	7/21/2014	Christine Stanley	0.20	\$ 100.00	\$ 20.00	Worked on mediation letter.		\$ 20.00		TM
1394	7/21/2014	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1395	7/21/2014	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1396	7/21/2014	Toby Marshall	3.80	\$ 475.00	\$ 1,805.00	Worked on mediation letter [3.3]; telephone call from opposing counsel regarding request for one-week extension to respond to rest break claims motion [1.1]; worked on damages calculations for rest break claims [4].		\$ 1,805.00		TM
1397	7/22/2014	Greg Wolk	1.00	\$ 425.00	\$ 425.00	revise mediation letter		\$ 425.00		RW
1398	7/22/2014	Christine Stanley	0.30	\$ 100.00	\$ 30.00	Worked on mediation letter and arranged service.		\$ 30.00		TM
1399	7/22/2014	Toby Marshall	2.80	\$ 475.00	\$ 1,330.00	Worked on mediation letter [2.8].		\$ 1,330.00		TM
1400	7/24/2014	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review and revise reply and response to stay		\$ 127.50		RW
1401	7/24/2014	Christine Stanley	0.40	\$ 100.00	\$ 40.00	Worked on re-note in regard to plaintiffs' motion for revision of summary judgment order and determination of class certification on rest break claims.	0.20	\$ 20.00	Efficiency	TM
1402	7/24/2014	Marc Cote	0.20	\$ 375.00	\$ 75.00	Analyzed law regarding segregation of attorneys' fees for mediation purposes.	0.20	\$ -	Efficiency	TM
1403	7/24/2014	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Message from and email to Judge Kallas regarding mediation [1.1]; analyzed issues regarding same [1.1]; reviewed defendant's response to motion to vacate trial date and stay case schedule deadlines and drafted reply to same [5]; worked on re-note of motion to reinstate and certify rest break claim [1.1]; prepared for mediation [6]; telephone call from Mr. Helde regarding same [1.1].		\$ 712.50		TM
1404	7/25/2014	Greg Wolk	6.00	\$ 425.00	\$ 2,550.00	attend mediation		\$ 2,550.00		RW
1405	7/25/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1406	7/25/2014	Erika Nusser	7.80	\$ 350.00	\$ 2,730.00	Traveled to, participated in, and returned from mediation [7.8]		\$ 2,730.00		TM
1407	7/25/2014	Toby Marshall	7.80	\$ 475.00	\$ 3,705.00	Traveled to, participated in, and returned from mediation [7.8].		\$ 3,705.00		TM
1408	7/28/2014	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Analyzed issues regarding pretrial deadlines and case strategy [3]; analyzed issues regarding calculation of rest break damages and sharing of analysis with opposing counsel [2].		\$ 237.50		TM
1409	7/29/2014	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w co-counsel & review issues re pretrial statement		\$ 127.50		RW
1410	7/29/2014	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	confer w co-counsel & review issues re pretrial statement		\$ 127.50		RW
1411	7/29/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email correspondence regarding document production.		\$ 30.00		TM
1412	7/29/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding settlement and scheduling issues [2]		\$ 70.00		TM
1413	7/29/2014	Hannelore Ohaus	0.30	\$ 75.00	\$ 22.50	Worked on docketing.	0.30	\$ -	Administrative	TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 55
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
						Researched and analyzed issues regarding pretrial deadlines and email correspondence with co-counsel regarding same [.6]; email correspondence with opposing counsel regarding pretrial deadlines and rest break damages calculations [1]; telephone conferences with opposing counsel regarding pretrial deadlines [2]; telephone conferences with co-counsel regarding trial preparation issues [8]; worked on same [6]; email correspondence with court clerk regarding resolution of motion to vacate trial date [1]; email correspondence with experts regarding trial schedule [1]; reviewed documents produced by Knight regarding per diem program [2]; analyzed issues regarding Knight's failure to identify [redacted] as member of class and Knight's misrepresentations regarding hourly rates of Washington drivers, and email correspondence with [redacted] regarding same [5].		\$ 1,520.00		TM
1414	7/29/2014	Toby Marshall	3.20	\$ 475.00	\$ 1,520.00			\$ 1,520.00		TM
1415	7/30/2014	Greg Wolk	2.00	\$ 425.00	\$ 850.00	prepare pretrial statement; call drivers to be witnesses		\$ 850.00		RW
1416	7/30/2014	Hardeep Rekhi	1.96	\$ 425.00	\$ 833.94	research regarding pre-trial deadlines; class list		\$ 833.94		RW
1417	7/30/2014	Hardeep Rekhi	0.59	\$ 425.00	\$ 251.69	research regarding expert witness issues		\$ 251.69		RW
1418	7/30/2014	Hardeep Rekhi	0.60	\$ 425.00	\$ 256.89	research regarding Defendant's witness		\$ 256.89		RW
1419	7/30/2014	Christine Stanley	0.50	\$ 100.00	\$ 50.00	Worked on plaintiffs' pretrial statement.		\$ 50.00		TM
1420	7/30/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding factual issues related to hourly pay and potential overtime damages [2]	0.20	\$ -	Unsuccessful Claims	TM
1421	7/30/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on pretrial statement [2].		\$ 95.00		TM
1422	7/31/2014	Greg Wolk	2.00	\$ 425.00	\$ 850.00	prepare exhibits for pretrial statement		\$ 850.00		RW
1423	7/31/2014	Eden Nordby	1.00	\$ 150.00	\$ 150.00	Worked on Plaintiffs' pretrial statement.		\$ 150.00		TM
1424	7/31/2014	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails regarding Order Granting Motion to Vacate Trial Date and Stay Case Schedule [1]		\$ 35.00		TM
1425	7/31/2014	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Reviewed order vacating trial date and analyzed issues regarding same [1]; analyzed issues regarding Knight's misrepresentations on hourly pay and potential overtime damages [1.0]; worked on case strategy issues [1].	1.00	\$ 95.00	Unsuccessful Claims	TM
1426	8/1/2014	Greg Wolk	0.70	\$ 425.00	\$ 297.50	confer with co-counsel re Knight's failure to identify all class members and misrepresentations about hourly rates of local drives	0.30	\$ 170.00	Unsuccessful Claims	RW
1427	8/1/2014	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	confer with co-counsel re Knight's failure to identify all class members and misrepresentations about hourly rates of local drives	0.30	\$ 170.00	Unsuccessful Claims	RW
1428	8/1/2014	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Researched and analyzed issues regarding Knight's misrepresentations about hourly rates of local drivers and ran estimated damages regarding same [8]; telephone conference with co-counsel regarding same and Knight's failure to identify all class members [7].	1.10	\$ 190.00	Unsuccessful Claims	TM
1429	8/4/2014	Christine Stanley	0.10	\$ 100.00	\$ 10.00	Worked on reply in support of motion for revision of summary judgment order and determination of class certification of rest break claims.		\$ 10.00		TM
1430	8/4/2014	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1431	8/4/2014	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Analyzed response to motion for revisions of summary judgment order and reinstatement of rest break claim [4]		\$ 140.00		TM
1432	8/5/2014	Greg Wolk	0.40	\$ 425.00	\$ 170.00	contact witnesses; review Def response to mtn for revision		\$ 170.00		RW
1433	8/5/2014	Toby Marshall	3.30	\$ 475.00	\$ 1,567.50	Reviewed Knight's response to motion to reinstate and certify rest break claims and researched and analyzed issues regarding same [3.3].		\$ 1,567.50		TM
1434	8/6/2014	Toby Marshall	3.50	\$ 475.00	\$ 1,662.50	Researched and analyzed issues for and worked on reply in support of motion to reinstate claims [3.5].		\$ 1,662.50		TM
1435	8/7/2014	Greg Wolk	0.70	\$ 425.00	\$ 297.50	analyze response and research; confer w co-counsel		\$ 297.50		RW
1436	8/7/2014	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	analyze response and research; confer w co-counsel		\$ 297.50		RW
1437	8/7/2014	Toby Marshall	3.00	\$ 475.00	\$ 1,425.00	Worked on reply in support of motion to reinstate and certify rest break claims and telephone conference and email correspondence with co-counsel regarding same [3.0].		\$ 1,425.00		TM
1438	8/8/2014	Greg Wolk	0.80	\$ 425.00	\$ 340.00	revise reply; confer w co-counsel		\$ 340.00		RW
1439	8/8/2014	Hardeep Rekhi	1.81	\$ 425.00	\$ 768.42	review reply brief; make edits and research regarding the same		\$ 768.42		RW
1440	8/8/2014	Bradford Kinsey	0.80	\$ 100.00	\$ 80.00	Reviewed, revised and finalized reply in support of motion for revision of summary judgment order; arranged filing and service.	0.80	\$ -	Unsuccessful Claims	TM
1441	8/8/2014	Erika Nusser	1.10	\$ 350.00	\$ 385.00	Worked on reply in support of motion to reinstate rest break claims, and emails and telephone conference with co-counsel regarding same [1.1]		\$ 385.00		TM
1442	8/8/2014	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Worked on reply in support of motion to reinstate rest break claims and email correspondence with co-counsel regarding same [7].		\$ 332.50		TM
1443	8/18/2014	Greg Wolk	0.60	\$ 425.00	\$ 255.00	confer w HSR and co-counsel re class list issue		\$ 255.00		RW
1444	8/18/2014	Hardeep Rekhi	0.67	\$ 425.00	\$ 283.33	teleconferenc re missig class memebrrs and overtime issue	0.17	\$ 212.50	Unsuccessful Claims	RW
1445	8/18/2014	Hardeep Rekhi	0.67	\$ 425.00	\$ 284.99	teleconferenc re missig class memebrrs and overtime issue	0.17	\$ 213.74	Unsuccessful Claims	RW
1446	8/18/2014	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	confer w co-counsel re class list issue		\$ 255.00		RW
1447	8/18/2014	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Telephone conference with co-counsel regarding issues with Knight's failure to identify all class members and Knight's misrepresentations regarding hourly pay [6]; telephone conference with [redacted] regarding same [1]; worked on analysis of overtime issue in light of misrepresentations [1.0].	1.30	\$ 190.00	Unsuccessful Claims	TM
1448	8/19/2014	Greg Wolk	0.50	\$ 425.00	\$ 212.50	review order and confer w HSR re next steps		\$ 212.50		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 56
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1449	8/19/2014	Marc Cote	0.20	\$ 375.00	\$ 75.00	Reviewed and analyzed orders from Judge Lasnik; conference with Mr. Marshall regarding same.	0.20	\$ -	Efficiency	TM
1450	8/19/2014	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Reviewed orders on reinstatement and certification of rest break claims and Mt. Clemens burden-shifting and analyzed issues regarding same [5].		\$ 237.50		TM
1451	8/20/2014	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Order granting motion for partial summary judgment and order reinstating and certifying rest break claims [5]		\$ 175.00		TM
1452	8/20/2014	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Analyzed issues and worked on letter to opposing counsel regarding Knight's failure to identify class members and Knight's misrepresentations about hourly pay [2]; worked on analysis of overtime issues [5].	0.70	\$ -	Unsuccessful Claims	TM
1453	8/21/2014	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review and respond to email from co-counsel re class list issue		\$ 127.50		RW
1454	8/21/2014	Christine Stanley	0.20	\$ 100.00	\$ 20.00	Downloaded various documents from the Haji v. Knight Transportation case in Western Washington U.S.D.C. per Mr. Marshall.	0.20	\$ -	Administrative	TM
1455	8/21/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding overtime calculations [2]	0.20	\$ -	Unsuccessful Claims	TM
1456	8/21/2014	Rachel Hoover	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1457	8/21/2014	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Worked on analysis of overtime claims in light of Knight's misrepresentations on hourly pay and email correspondence with co-counsel regarding same [5].	0.50	\$ -	Unsuccessful Claims	TM
1458	8/27/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone call from Mr. Bodily regarding [redacted][2].		\$ 95.00		TM
1459	8/28/2014	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re case strategy		\$ 42.50		RW
1460	8/28/2014	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re case strategy		\$ 42.50		RW
1461	8/28/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone conference with co-counsel regarding case strategy [1].		\$ 47.50		TM
1462	9/1/2014	Toby Marshall	2.40	\$ 475.00	\$ 1,140.00	Researched and analyzed issues regarding information learned from Haji case and misrepresentations Knight and its counsel made to court [1.0]; drafted letter to opposing counsel regarding same [1.4].		\$ 1,140.00		TM
1463	9/3/2014	Christine Stanley	0.20	\$ 100.00	\$ 20.00	Letter to Mr. Swaminathan.		\$ 20.00		TM
1464	9/3/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Worked on letter to opposing counsel regarding unidentified class members and misrepresentations about hourly pay [1].		\$ 47.50		TM
1465	9/17/2014	Greg Wolk	1.40	\$ 425.00	\$ 595.00	research and analyze class list issues (.7); confer with co-counsel re Knight's misrepresentations over hourly workers and scope of Washington-based drivers (.7)	0.20	\$ 510.00	Unsuccessful Claims	RW
1466	9/17/2014	Hardeep Rekhi	0.72	\$ 425.00	\$ 304.58	Teleconference regarding missing class members; research and investigation into separate entities as related to missing class members; discussion regarding new trial dates		\$ 304.58		RW
1467	9/17/2014	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	confer with co-counsel re Knight's misrepresentations over hourly workers and scope of Washington-based drivers	0.20	\$ 212.50	Unsuccessful Claims	RW
1468	9/17/2014	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Telephone conference with co-counsel regarding Knight's misrepresentations over hourly workers and scope of Washington-based drivers (.7); analyzed issues regarding case schedule [1.1]; email to experts regarding availability [1].	0.20	\$ 332.50	Unsuccessful Claims	TM
1469	9/24/2014	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re timing of trial		\$ 42.50		RW
1470	9/24/2014	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re timing of trial		\$ 42.50		RW
1471	9/24/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with co-counsel regarding timing of trial [1.1]; analyzed issues regarding same [1].		\$ 95.00		TM
1472	10/7/2014	Greg Wolk	0.50	\$ 425.00	\$ 212.50	review case schedule plan (.3); confer with co-counsel re scheduling issues (.2)		\$ 212.50		RW
1473	10/7/2014	Hardeep Rekhi	0.24	\$ 425.00	\$ 100.82	tc w/ opposing counsel re trial date and class rep.		\$ 100.82		RW
1474	10/7/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re scheduling issues (.2)		\$ 85.00		RW
1475	10/7/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Worked on case scheduling issues and email correspondence with co-counsel regarding same [2]; telephone conference with co-counsel and personal conference with Dr. Abbott regarding same [2].		\$ 190.00		TM
1476	10/8/2014	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Worked on proposed case schedule and email correspondence with co-counsel regarding same [3].		\$ 142.50		TM
1477	10/9/2014	Bradford Kinsey	0.60	\$ 100.00	\$ 60.00	Prepared draft of stipulation and proposed order establishing pre-trial deadlines.		\$ 60.00		TM
1478	10/16/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer w client re claims		\$ 85.00		RW
1479	10/27/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding case scheduling [1].		\$ 47.50		TM
1480	10/28/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Worked on scheduling issues [1].		\$ 47.50		TM
1481	10/29/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re defendant's request for extension of trial date and plan for responding to same		\$ 85.00		RW
1482	10/29/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re defendant's request for extension of trial date and plan for responding to same		\$ 85.00		RW
1483	11/2/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding proposed case schedule and trial date [1].		\$ 47.50		TM
1484	11/5/2014	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Telephone conference with Max Tena regarding [redacted] [2]		\$ 70.00		TM
1485	11/7/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone call from expert regarding trial date and additional anticipated work [2].		\$ 95.00		TM
1486	11/14/2014	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 57
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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1487	11/14/2014	Holly Rota	1.00	\$ 100.00	\$ 100.00	Drafted Plaintiffs' Response to Defendant Knight's motion to Decertify		\$ 100.00		TM
1488	11/17/2014	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re trial date		\$ 42.50		RW
1489	11/17/2014	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re trial date		\$ 42.50		RW
1490	11/17/2014	Marc Cote	2.70	\$ 375.00	\$ 1,012.50	Reviewed motion to decertify and previous orders of court in preparation for response to motion to decertify [2.2]; conferences with Mr. Marshall regarding response to motion to decertify [5].		\$ 1,012.50		TM
1491	11/17/2014	Toby Marshall	3.10	\$ 475.00	\$ 1,472.50	Reviewed defendant's motion to decertify claims, researched and analyzed issues regarding same, and worked on outline of response to same [3.0]; telephone conference with co-counsel regarding trial date [1].		\$ 1,472.50		TM
1492	11/18/2014	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer with co-counsel re motion to decertify and plan for responding to same		\$ 170.00		RW
1493	11/18/2014	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	Review Motion to Decertify; teleconference with co-counsel		\$ 510.00		RW
1494	11/18/2014	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	confer with co-counsel re motion to decertify and plan for responding to same		\$ 170.00		RW
1495	11/18/2014	Marc Cote	3.80	\$ 375.00	\$ 1,425.00	Worked on response to motion to decertify.		\$ 1,425.00		TM
1496	11/18/2014	Toby Marshall	2.10	\$ 475.00	\$ 997.50	Telephone conference with co-counsel regarding motion to decertify and plan for responding to same [4]; reviewed Kwon declaration and analyzed issues regarding same [4]; worked on outline for response to motion to decertify and analyzed issues regarding same [1.3].	0.10	\$ 950.00	Unsuccessful Claims	TM
1497	11/19/2014	Marc Cote	5.10	\$ 375.00	\$ 1,912.50	Worked on response to motion to decertify [4.9]; conference regarding strategy for response to motion to decertify [2].		\$ 1,912.50		TM
1498	11/19/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Telephone conference with opposing counsel regarding case scheduling issues [4].		\$ 190.00		TM
1499	11/20/2014	Marc Cote	7.60	\$ 375.00	\$ 2,850.00	Worked on response to motion to decertify.		\$ 2,850.00		TM
1500	11/21/2014	Marc Cote	5.30	\$ 375.00	\$ 1,987.50	Worked on response to motion to decertify.		\$ 1,987.50		TM
1501	11/21/2014	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on case management issues [2].		\$ 95.00		TM
1502	11/23/2014	Marc Cote	3.70	\$ 375.00	\$ 1,387.50	Worked on response to motion to decertify, including conference with Mr. Marshall regarding arguments [3.7].		\$ 1,387.50		TM
1503	11/23/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Worked on case strategy issues [1].		\$ 47.50		TM
1504	11/24/2014	Marc Cote	7.50	\$ 375.00	\$ 2,812.50	Worked on response to motion to decertify.		\$ 2,812.50		TM
1505	11/25/2014	Marc Cote	4.70	\$ 375.00	\$ 1,762.50	Worked on response to motion to decertify.		\$ 1,762.50		TM
1506	11/25/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with co-counsel regarding case schedule and trial date [1].		\$ 47.50		TM
1507	11/26/2014	Holly Rota	1.00	\$ 100.00	\$ 100.00	Drafted Declaration of Mr. Marshall; Formatted Brief		\$ 100.00		TM
1508	11/26/2014	Marc Cote	5.20	\$ 375.00	\$ 1,950.00	Worked on response to motion to decertify.		\$ 1,950.00		TM
1509	11/29/2014	Toby Marshall	3.00	\$ 475.00	\$ 1,425.00	Worked on response to motion to decertify and researched and analyzed issues regarding same [3.0].		\$ 1,425.00		TM
1510	11/30/2014	Marc Cote	0.60	\$ 375.00	\$ 225.00	Worked on response to motion to decertify.		\$ 225.00		TM
1511	11/30/2014	Toby Marshall	2.80	\$ 475.00	\$ 1,330.00	Worked on response to motion to decertify and researched and analyzed issues regarding same [2.8].		\$ 1,330.00		TM
1512	12/1/2014	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re Plts' response to Knight's decertification motion		\$ 85.00		RW
1513	12/1/2014	Hardeep Rekhi	1.55	\$ 425.00	\$ 656.86	review response to motion for Decertification		\$ 656.86		RW
1514	12/1/2014	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re Plts' response to Knight's decertification motion		\$ 85.00		RW
1515	12/1/2014	Holly Rota	1.00	\$ 100.00	\$ 100.00	Finalized response to motion; declaration of Mr. Marshall; efiled response		\$ 100.00		TM
1516	12/1/2014	Marc Cote	5.20	\$ 375.00	\$ 1,950.00	Worked on response to motion to decertify and declaration.		\$ 1,950.00		TM
1517	12/1/2014	Toby Marshall	3.90	\$ 475.00	\$ 1,852.50	Worked on Plaintiffs' response to Knight's decertification motion and researched and analyzed issues regarding same [3.5]; telephone conference with co-counsel regarding same [2]; worked on case scheduling issues [2].		\$ 1,852.50		TM
1518	12/6/2014	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Reviewed defendant's reply in support of decertification and analyzed issues regarding same [3].		\$ 142.50		TM
1519	12/8/2014	Hardeep Rekhi	1.50	\$ 425.00	\$ 637.50	review reply to motion for Decertification; research regarding the same		\$ 637.50		RW
1520	12/8/2014	Bradford Kinsey	2.20	\$ 100.00	\$ 220.00	Prepared praecipe to replace; reviewed and revised response to motion to decertify; arranged filing and service.		\$ 220.00		TM
1521	12/8/2014	Marc Cote	2.70	\$ 375.00	\$ 1,012.50	Reviewed and analyzed reply brief filed by Knight on decert motion [1.2]; worked on praecipe and revisions to response to motion [1.5].		\$ 1,012.50		TM
1522	12/8/2014	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Analyzed issues regarding need for praecipe to correct for mistake in response to motion for decertification [1]; analyzed issues regarding Knight's reply in support of motion for decertification [3].		\$ 190.00		TM
1523	12/30/2014	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone call from Mr. Tena regarding [redacted] [1].		\$ 47.50		TM
1524	1/5/2015	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Message from and telephone conference with client regarding [redacted] [2]; drafted memorandum to file regarding same same [1].		\$ 142.50		TM
1525	1/6/2015	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co-counsel		\$ 42.50		RW
1526	1/6/2015	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel		\$ 42.50		RW
1527	1/6/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone conference with co-counsel regarding [redacted] [1].		\$ 47.50		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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AND REIMBURSEMENT OF LITIGATION COSTS - 58
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1528	1/8/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with counsel representing class in Oregon action regarding factual background and legal issues [.2].	0.20	\$ -	Relevance	TM
1529	1/9/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding class case against Knight in Oregon and email correspondence with counsel there regarding factual background and legal issues [.2].	0.20	\$ -	Relevance	TM
1530	2/2/2015	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Email correspondence with expert regarding billing invoice and processed same [.1]; analyzed issues regarding proposed trial date and pretrial deadlines and worked on revisions to draft stipulation regarding same [.2].	0.10	\$ 95.00	Administrative	TM
1531	2/3/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding trial date and case schedule [.1].		\$ 47.50		TM
1532	2/5/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with co-counsel, opposing counsel, and court clerk regarding proposed trial date [.1]; analyzed issues regarding expert deadlines [.1].		\$ 95.00		TM
1533	2/8/2015	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re damages data and witness calls		\$ 85.00		RW
1534	2/8/2015	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re damages data and witness calls		\$ 85.00		RW
1535	2/11/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding trial date [.1].		\$ 47.50		TM
1536	2/12/2015	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Left message and email correspondence with opposing counsel regarding trial date and case schedule issues [.1]; analyzed issues regarding same [.1]; email correspondence with court and co-counsel regarding scheduling of hearing on motion to decertify [.1]; analyzed issues regarding motion to decertify [.1].		\$ 190.00		TM
1537	2/13/2015	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Email correspondence with co-counsel and opposing counsel regarding Knight's refusal to agree to setting of trial date [.1]; analyzed issues regarding same [.1]; telephone call from opposing counsel regarding same [.1]; worked on case strategy issues [.1].		\$ 190.00		TM
1538	2/17/2015	Hannelore Ohaus	0.20	\$ 75.00	\$ 15.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1539	2/18/2015	Holly Rota	0.50	\$ 100.00	\$ 50.00	Email Party response to request for video recording to clerk	0.40	\$ 10.00	Efficiency	TM
1540	2/18/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding consent to recording of hearing request [.1].		\$ 47.50		TM
1541	2/23/2015	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re hearing on motion to decertify		\$ 42.50		RW
1542	2/23/2015	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re hearing on motion to decertify		\$ 42.50		RW
1543	2/23/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone conference with co-counsel regarding hearing on motion to decertify [.1].		\$ 47.50		TM
1544	3/5/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Prepared materials for hearing on motion to decertify [.1].		\$ 47.50		TM
1545	3/14/2015	Toby Marshall	4.60	\$ 475.00	\$ 2,185.00	Reviewed briefing on motion for decertification and related documents and researched and analyzed issues regarding same [4.6].		\$ 2,185.00		TM
1546	3/15/2015	Marc Cote	0.30	\$ 375.00	\$ 112.50	Conference regarding motion hearing and rest break issues.		\$ 112.50		TM
1547	3/15/2015	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Analyzed issues in preparation for hearing on motion for decertification [.6].		\$ 285.00		TM
1548	3/16/2015	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Worked on outline of argument for hearing on motion to decertify and researched and analyzed issues regarding same [1.7].		\$ 807.50		TM
1549	3/17/2015	Greg Wolk	3.10	\$ 425.00	\$ 1,317.50	review motions for decertification, prep for hearing (1.8); confer with co-counsel re same (1.3)		\$ 1,317.50		RW
1550	3/17/2015	Hardeep Rekhi	2.50	\$ 425.00	\$ 1,062.50	Knight Transportation; review previous filings; discuss and strategize argument		\$ 1,062.50		RW
1551	3/17/2015	Hardeep Rekhi	1.30	\$ 425.00	\$ 552.50	confer with co-counsel re same		\$ 552.50		RW
1552	3/17/2015	Erika Nusser	1.20	\$ 350.00	\$ 420.00	Telephone conference regarding hearing on motion to decertify [1.2]		\$ 420.00		TM
1553	3/17/2015	Toby Marshall	8.10	\$ 475.00	\$ 3,847.50	Worked on outline and PowerPoint presentation for hearing on motion to decertify and researched and analyzed issues regarding same [6.8]; telephone conference with co-counsel regarding same [1.3].		\$ 3,847.50		TM
1554	3/18/2015	Greg Wolk	2.30	\$ 425.00	\$ 977.50	prep, attend and debrief decert hearing		\$ 977.50		RW
1555	3/18/2015	Erika Nusser	1.60	\$ 350.00	\$ 560.00	Traveled to and from and attended hearing on motion to decertify [1.6]		\$ 560.00		TM
1556	3/18/2015	Toby Marshall	3.40	\$ 475.00	\$ 1,615.00	Worked on PowerPoint presentation for hearing on motion to decertify [.5]; traveled to, participated in, and returned from hearing on motion to decertify [2.6]; analyzed issues regarding same [.3].		\$ 1,615.00		TM
1557	3/19/2015	Greg Wolk	0.80	\$ 425.00	\$ 340.00	analyze Sakuma bros. arguments and briefing		\$ 340.00		RW
1558	3/19/2015	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1559	3/19/2015	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Email correspondence with co-counsel regarding Sakuma briefing [.1]; analyzed issues regarding same [.6]; telephone call from co-counsel regarding same [.4].		\$ 522.50		TM
1560	3/20/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding Sakuma case and Court's request for briefing on same [.2].		\$ 95.00		TM
1561	3/23/2015	Marc Cote	0.90	\$ 375.00	\$ 337.50	Reviewed order requesting additional briefing on Sakuma and analyzed proper approach to timing of decision [.3]; conference with Mr. Marshall regarding strategy for response to court [.6].		\$ 337.50		TM
1562	3/23/2015	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Analyzed issues regarding supplemental briefing on Sakuma case [.8].		\$ 380.00		TM
1563	3/24/2015	Greg Wolk	1.40	\$ 425.00	\$ 595.00	draft supp briefing on stay re Sakuma bros; research same		\$ 595.00		RW
1564	3/24/2015	Erika Nusser	0.80	\$ 350.00	\$ 280.00	Telephone conference regarding supplemental briefing on Sakuma decision [.8]		\$ 280.00		TM

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	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1565	3/24/2015	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone conference with co-counsel regarding strategy for supplemental brief on Sakuma case [.3].		\$ 142.50		TM
1566	3/25/2015	Greg Wolk	2.40	\$ 425.00	\$ 1,020.00	draft briefing on stay pending Sakuma bros		\$ 1,020.00		RW
1567	3/25/2015	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Knight Transportation; review previous filings; discuss and strategize argument re stay		\$ 212.50		RW
1568	3/25/2015	Marc Cote	0.10	\$ 375.00	\$ 37.50	Began analyzing draft brief regarding delaying decision on Knight's motion until Sakuma is decided.		\$ 37.50		TM
1569	3/25/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Reviewed draft supplemental brief on Sakuma and analyzed issues regarding same [.2].		\$ 95.00		TM
1570	3/26/2015	Greg Wolk	0.90	\$ 425.00	\$ 382.50	revise supp briefing re Sakuma Bros (.7); confer with co-counsel re same (.2)		\$ 382.50		RW
1571	3/26/2015	Hardeep Rekhi	0.33	\$ 425.00	\$ 141.67	Review supplemental briefing related to stay; review emails regarding the same; strategize regarding the same		\$ 141.67		RW
1572	3/26/2015	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Confer with co-counsel re briefing re Sakuma Bros		\$ 85.00		RW
1573	3/26/2015	Erika Nusser	1.60	\$ 350.00	\$ 560.00	Analyzed supplemental brief regarding rest breaks and on duty not-driving claims, and emails and conference regarding the same [1.6]	0.80	\$ 280.00	Unsuccessful Claims	TM
1574	3/26/2015	Marc Cote	1.00	\$ 375.00	\$ 375.00	Reviewed and analyzed draft brief re effect of Sakuma, made proposed revisions, and emailed comments regarding draft to Mr. Marshall [.7]; conference regarding strategy for brief regarding stay [.3].		\$ 375.00		TM
1575	3/26/2015	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Reviewed draft brief on Sakuma, analyzed issues regarding same, and drafted proposed revisions [.8]; telephone conference with co-counsel regarding same [.2].		\$ 475.00		TM
1576	3/27/2015	Greg Wolk	0.20	\$ 425.00	\$ 85.00	review final draft of supp briefing on Sakuma Bros		\$ 85.00		RW
1577	3/27/2015	Holly Rota	1.00	\$ 100.00	\$ 100.00	Finalized Plaintiffs' brief in support of staying case; efiled		\$ 100.00		TM
1578	3/27/2015	Marc Cote	0.20	\$ 375.00	\$ 75.00	Conference regarding submission to court re Sakuma.		\$ 75.00		TM
1579	3/27/2015	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding supplemental briefing on motion for decertification [.3].		\$ 142.50		TM
1580	3/29/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Reviewed Knight's supplemental brief on whether to stay case and email correspondence with co-counsel regarding same [.2].		\$ 95.00		TM
1581	3/30/2015	Greg Wolk	0.20	\$ 425.00	\$ 85.00	review Defendant's briefing on Sakuma		\$ 85.00		RW
1582	3/30/2015	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Knight Transportation; review Defendant's Supplemental response; meet with client; review deposition schedule, review issues related to Defendants RFPs, review case strategy		\$ 212.50		RW
1583	3/30/2015	Marc Cote	0.20	\$ 375.00	\$ 75.00	Reviewed brief from Knight re effect of Sakuma and email regarding same.		\$ 75.00		TM
1584	3/31/2015	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review Court's Order; confer w co-counsel re outstanding issues		\$ 127.50		RW
1585	3/31/2015	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email correspondence to class member regarding [redacted].		\$ 30.00		TM
1586	3/31/2015	Marc Cote	0.30	\$ 375.00	\$ 112.50	Reviewed order staying case and denying decertification.	0.30	\$ -	Efficiency	TM
1587	3/31/2015	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Responded to class member inquiry regarding [redacted] [.1]; reviewed order staying case pending Sakuma decision and analyzed issues regarding same [.2].		\$ 142.50		TM
1588	4/1/2015	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Analyzed order denying motion to decertify and emails regarding the same [.2]		\$ 70.00		TM
1589	4/21/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding DLI policy that supports plaintiffs' interpretation of WAC 296-126-021 [.1].	0.10	\$ -	Unsuccessful Claims	TM
1590	6/11/2015	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Telephone conference with non-class member regarding Knight Transportation lease program.	0.20	\$ -	Relevance	TM
1591	6/12/2015	Marc Cote	0.50	\$ 375.00	\$ 187.50	Reviewed SI order from similar truck driver case against Wal-Mart and emailed findings to Mr. Marshall.	0.50	\$ -	Unsuccessful Claims	TM
1592	7/10/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with client regarding status of case [.1].		\$ 47.50		TM
1593	7/16/2015	Greg Wolk	1.00	\$ 425.00	\$ 425.00	review Sakuma decision (.3) and confer w co-counsel re same (.7)		\$ 425.00		RW
1594	7/16/2015	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	confer w co-counsel re Sakuma decision		\$ 297.50		RW
1595	7/16/2015	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1596	7/16/2015	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Telephone conference with co-counsel regarding impact of Sakuma decision [.7]; worked on docketing of joint status report regarding same [.1].		\$ 380.00		TM
1597	7/19/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Reviewed recent case in which court ruled that truck drivers are entitled to separate compensation for nonproduction hours worked [.2].	0.20	\$ -	Unsuccessful Claims	TM
1598	7/20/2015	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Analyzed order in related trucking case and emails regarding the same [.3]	0.30	\$ -	Relevance	TM
1599	7/21/2015	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer w co-counsel re next steps after Sakuma decision		\$ 170.00		RW
1600	7/21/2015	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	confer w co-counsel re next steps after Sakuma decision		\$ 170.00		RW
1601	7/21/2015	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone conference with co-counsel regarding effect of Sakuma on case strategy and timing of trial [.3].		\$ 142.50		TM
1602	7/22/2015	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Conference regarding case strategy issues [.2]		\$ 70.00		TM
1603	7/22/2015	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Analyzed issues regarding mediation, summary judgment, and case schedule and trial date and email correspondence with co-counsel regarding same [.9]; email correspondence with opposing counsel regarding case schedule and trial date [.1].		\$ 475.00		TM
1604	7/24/2015	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails and conference regarding settlement communications [.2]		\$ 70.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 60
CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1605	7/24/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding mediation strategy and case scheduling and email correspondence with co-counsel regarding same [2].		\$ 95.00		TM
1606	7/28/2015	Greg Wolk	0.60	\$ 425.00	\$ 255.00	contact clients with case update		\$ 255.00		RW
1607	7/29/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Message from opposing counsel regarding joint status report and response to mediation request [1].		\$ 47.50		TM
1608	7/30/2015	Greg Wolk	0.50	\$ 425.00	\$ 212.50	confer with co-counsel re joint status report		\$ 212.50		RW
1609	7/30/2015	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	confer with co-counsel re joint status report		\$ 212.50		RW
1610	7/30/2015	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Email correspondence with opposing counsel regarding joint status report [3]; telephone conferences with opposing counsel regarding same [5]; telephone conferences with co-counsel regarding same [5]; researched and analyzed issues regarding finality of State Supreme Court decision [2].		\$ 712.50		TM
1611	7/31/2015	Hannelore Ohaus	0.20	\$ 75.00	\$ 15.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1612	7/31/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone conference with Mr. Tena regarding [redacted][1].		\$ 47.50		TM
1613	8/3/2015	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	discuss case strategy		\$ 85.00		RW
1614	8/3/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone conference with co-counsel regarding case scheduling issues [1].		\$ 47.50		TM
1615	8/10/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding status of draft joint status report [1].		\$ 47.50		TM
1616	8/13/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues and email correspondence correspondence with opposing counsel and co-counsel regarding joint status report [1].		\$ 47.50		TM
1617	8/17/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding joint status report and email to opposing counsel regarding same [1].		\$ 47.50		TM
1618	8/18/2015	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re joint status report		\$ 85.00		RW
1619	8/18/2015	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re joint status report		\$ 85.00		RW
1620	8/18/2015	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone conference with co-counsel regarding joint status report [2]; email correspondence with co-counsel regarding same [1].		\$ 142.50		TM
1621	8/19/2015	Greg Wolk	0.40	\$ 425.00	\$ 170.00	analyze and propose stipulation to joint stipulation		\$ 170.00		RW
1622	8/19/2015	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Worked on joint status report and related issues [9].		\$ 427.50		TM
1623	8/20/2015	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Telephone calls from opposing counsel regarding joint status report [4]; email correspondence with co-counsel regarding same [2]; worked on revisions to joint status report [2].		\$ 380.00		TM
1624	8/24/2015	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1625	8/28/2015	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Telephone conference with court reporter regarding transcript of hearing; email correspondence regarding same; worked on letter to court reporter.		\$ 60.00		TM
1626	8/28/2015	Hannelore Ohaus	0.70	\$ 75.00	\$ 52.50	Worked on docketing scheduling order.	0.70	\$ -	Administrative	TM
1627	8/28/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding new case scheduling order [1].		\$ 47.50		TM
1628	9/9/2015	Greg Wolk	0.10	\$ 425.00	\$ 42.50	conver with co-counsel re case strategy issues		\$ 42.50		RW
1629	9/9/2015	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	conver with co-counsel re case strategy issues		\$ 42.50		RW
1630	9/9/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone conference with co-counsel regarding case strategy issues [1].		\$ 47.50		TM
1631	9/10/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Worked on case management issues [1].		\$ 47.50		TM
1632	9/20/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on case management issues [2].		\$ 95.00		TM
1633	10/11/2015	Toby Marshall	3.60	\$ 475.00	\$ 1,710.00	Worked on motion for partial summary judgment on rest break and on duty, not driving claims and researched and analyzed issues regarding same [3.6].	1.80	\$ 855.00	Unsuccessful Claims	TM
1634	10/12/2015	Elizabeth Adams	3.30	\$ 285.00	\$ 940.50	Updated research regarding non-production work time under California law.	3.30	\$ -	Unsuccessful Claims	TM
1635	10/12/2015	Holly Rota	0.50	\$ 100.00	\$ 50.00	Worked on plaintiffs' motion for partial summary judgment.		\$ 50.00		TM
1636	10/12/2015	Marc Cote	0.30	\$ 375.00	\$ 112.50	Analyzed summary judgment arguments and authority.	0.10	\$ 75.00	Unsuccessful Claims	TM
1637	10/12/2015	Toby Marshall	2.50	\$ 475.00	\$ 1,187.50	Researched and analyzed issues regarding pay for non-production work [1.0]; worked on factual background issues for partial summary judgment motion on rest break and on duty, not driving claims [7]; worked on motion for summary judgment [8].	1.20	\$ 617.50	Unsuccessful Claims	TM
1638	10/13/2015	Elizabeth Adams	1.60	\$ 285.00	\$ 456.00	Completed updating research regarding non-production work issue.	1.60	\$ -	Unsuccessful Claims	TM
1639	10/13/2015	Razel Agustino	0.10	\$ 75.00	\$ 7.50	Worked on notice of firm name and email address change.	0.10	\$ -	Administrative	TM
1640	10/15/2015	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Conference and emails regarding motion for summary judgment [3]		\$ 105.00		TM
1641	10/15/2015	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Worked on summary judgment motion [3].	0.10	\$ 95.00	Unsuccessful Claims	TM
1642	10/16/2015	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Left message for class member regarding [redacted].		\$ 15.00		TM
1643	10/16/2015	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Worked on outline of motion for partial summary judgment [1.0].	0.50	\$ 237.50	Unsuccessful Claims	TM
1644	10/23/2015	Bradford Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft of notice of firm name change; amended master caption; arranged filing and service.		\$ 30.00		TM
1645	10/26/2015	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding damages data production [2]; worked on motion for partial summary judgment [1].		\$ 142.50		TM
1646	10/28/2015	Greg Wolk	0.60	\$ 425.00	\$ 255.00	analyze and revise partial SJ	0.30	\$ 127.50	Unsuccessful claims	RW
1647	10/28/2015	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	email from opposing counsel		\$ 42.50		RW
1648	10/28/2015	Hardeep Rekhi	0.83	\$ 425.00	\$ 353.81	Review Motion for Summary Judgment	0.21	\$ 265.36	Unsuccessful Claims	RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 61
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1649	10/28/2015	Holly Rota	1.00	\$ 100.00	\$ 100.00	Worked on proposed order granting plaintiffs' motion for partial summary judgment and declaration of Mr. Marshall in support of plaintiffs' motion for partial summary judgment.		\$ 100.00	Unsuccessful Claims	TM
1650	10/28/2015	Toby Marshall	4.20	\$ 475.00	\$ 1,995.00	Worked on motion for partial summary judgment and researched and analyzed issues regarding same [3.8]; telephone call from opposing counsel regarding request to extend trial date [2]; analyzed issues regarding same and email correspondence with co-counsel regarding same [2].	1.90	\$ 1,092.50	Unsuccessful Claims	TM
1651	10/29/2015	Hardeep Rekhi	0.42	\$ 425.00	\$ 177.08	Review summary judgement motion	0.10	\$ 132.81	Unsuccessful Claims	RW
1652	10/29/2015	Eden Nordby	2.50	\$ 150.00	\$ 375.00	Worked on declaration and exhibits in support of motion for partial summary judgment.	0.60	\$ 285.00	Unsuccessful Claims	TM
1653	10/29/2015	Holly Rota	3.00	\$ 100.00	\$ 300.00	Worked on and finalized plaintiffs' motion for partial summary judgment, proposed order, declaration of Mr. Marshall in support of plaintiffs' motion for partial summary judgment; electronically filed same.	1.50	\$ 150.00	Unsuccessful Claims	TM
1654	10/29/2015	Marc Cote	2.90	\$ 375.00	\$ 1,087.50	Worked on motion for partial summary judgment and began reviewing Defendant's motion.	1.50	\$ 525.00	Unsuccessful Claims	TM
1655	10/29/2015	Toby Marshall	4.00	\$ 475.00	\$ 1,900.00	Telephone conference with co-counsel regarding defendant's request for extension of trial date and plan for responding to same [2]; worked on proposed order granting plaintiffs' motion for partial summary judgment [1]; worked on motion for partial summary judgment and analyzed issues regarding same [3.7].	1.90	\$ 997.50	Unsuccessful Claims	TM
1656	10/30/2015	Hardeep Rekhi	0.50	\$ 425.00	\$ 213.56	Review Defendant's summary judgement motion	0.13	\$ 160.17	Unsuccessful Claims	RW
1657	10/30/2015	Hannelore Ohaus	0.20	\$ 75.00	\$ 15.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1658	10/30/2015	Holly Rota	1.00	\$ 100.00	\$ 100.00	Worked on judges' copies of plaintiffs' motion for partial summary judgment, proposed order and declaration of Mr. Marshall; coordinated with messenger for delivery.	0.50	\$ 50.00	Unsuccessful Claims	TM
1659	10/30/2015	Marc Cote	0.10	\$ 375.00	\$ 37.50	Began reviewing Knight's SJ motion.		\$ 37.50	Unsuccessful Claims	TM
1660	10/30/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding plan for responding to defendant's motion for partial summary judgment [2].	0.10	\$ 47.50	Unsuccessful Claims	TM
1661	11/2/2015	Erika Nusser	0.60	\$ 350.00	\$ 210.00	Conference regarding response to defendant's motion for summary judgment and emails regarding the same [3]; conference and emails regarding case strategy issues [3]	0.30	\$ 105.00	Unsuccessful Claims	TM
1662	11/2/2015	Hannelore Ohaus	0.30	\$ 75.00	\$ 22.50	Worked on docketing.	0.30	\$ -	Administrative	TM
1663	11/2/2015	Marc Cote	0.20	\$ 375.00	\$ 75.00	Analyzed arguments on summary judgment motion.	0.10	\$ 37.50	Unsuccessful Claims	TM
1664	11/2/2015	Toby Marshall	4.30	\$ 475.00	\$ 2,042.50	Worked on plan for responding to defendant's motion for partial summary judgment [5]; worked on docketing issues [2]; reviewed Knight's motion for partial summary judgment, researched and analyzed issues regarding same, and worked on outline of response to same [3.2]; analyzed issues regarding Knight's request to extend trial date and email correspondence with co-counsel regarding same [2]; drafted email to opposing counsel regarding same [2].	1.80	\$ 1,187.50	Unsuccessful Claims	TM
1665	11/3/2015	Hardeep Rekhi	1.06	\$ 425.00	\$ 452.27	review d's SJ	0.27	\$ 339.20	Unsuccessful Claims	RW
1666	11/3/2015	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Email correspondence with co-counsel regarding defendant's continued request to move trial date [1]; worked on case management issues [2]; analyzed issues regarding factual background for response to defendant's motion for partial summary judgment and email correspondence with co-counsel regarding same [4].	0.20	\$ 237.50	Unsuccessful Claims	TM
1667	11/4/2015	Hannelore Ohaus	0.30	\$ 75.00	\$ 22.50	Worked on docketing.	0.30	\$ -	Administrative	TM
1668	11/4/2015	Holly Rota	1.00	\$ 100.00	\$ 100.00	Worked on plaintiffs' response to defendants' motion for partial summary judgment.	0.50	\$ 50.00	Unsuccessful Claims	TM
1669	11/4/2015	Marc Cote	3.30	\$ 375.00	\$ 1,237.50	Outlined issues for response to motion for SJ.	0.80	\$ 937.50	Unsuccessful Claims	TM
1670	11/5/2015	Marc Cote	6.10	\$ 375.00	\$ 2,287.50	Worked on response to Knight's motion for summary judgment.	3.00	\$ 1,162.50	Unsuccessful Claims	TM
1671	11/6/2015	Greg Wolk	2.20	\$ 425.00	\$ 935.00	analyze Knight SJ motion and begin drafting opposition	1.10	\$ 467.50	Unsuccessful claims	RW
1672	11/6/2015	Hardeep Rekhi	1.90	\$ 425.00	\$ 807.50	Review and outline Knight SJ; teleconference with co-counsel	0.50	\$ 595.00	Unsuccessful Claims	RW
1673	11/6/2015	Marc Cote	8.00	\$ 375.00	\$ 3,000.00	Worked on response to motion for summary judgment.	4.00	\$ 1,500.00	Unsuccessful Claims	TM
1674	11/6/2015	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Analyzed issues regarding response to Knight's motion for partial summary judgment [9].	0.50	\$ 190.00	Unsuccessful Claims	TM
1675	11/9/2015	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Worked on document production management.		\$ 60.00		TM
1676	11/9/2015	Marc Cote	5.40	\$ 375.00	\$ 2,025.00	Worked on response to Knight's motion for SJ.	2.70	\$ 1,012.50	Unsuccessful Claims	TM
1677	11/10/2015	Eden Nordby	1.50	\$ 150.00	\$ 225.00	Worked on document production management; worked on document review; email correspondence regarding same; updated production log.		\$ 225.00		TM
1678	11/12/2015	Marc Cote	2.40	\$ 375.00	\$ 900.00	Worked on response to SJ motion.	1.20	\$ 450.00	Unsuccessful Claims	TM
1679	11/13/2015	Greg Wolk	0.60	\$ 425.00	\$ 255.00	revise draft opp to SJM	0.30	\$ 127.50	Unsuccessful claims	RW
1680	11/13/2015	Marc Cote	0.20	\$ 375.00	\$ 75.00	Analyzed arguments on response to motion for summary judgment.	0.10	\$ 37.50	Unsuccessful Claims	TM
1681	11/15/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding response to Knight's motion for partial summary judgment [1].		\$ 47.50		TM
1682	11/16/2015	Greg Wolk	1.10	\$ 425.00	\$ 467.50	revise draft opp to SJM	0.50	\$ 255.00	Unsuccessful claims	RW
1683	11/17/2015	Greg Wolk	2.80	\$ 425.00	\$ 1,190.00	revise draft opp to SJM; speak with client	1.40	\$ 595.00	Unsuccessful claims	RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 62
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1684	11/17/2015	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Worked on response to Knight's motion for partial summary judgment [.4].	0.20	\$ 95.00	Unsuccessful Claims	TM
1685	11/18/2015	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Worked on response to motion for partial summary judgment [1.4].	0.70	\$ 332.50	Unsuccessful Claims	TM
1686	11/19/2015	Eden Nordby	1.40	\$ 150.00	\$ 210.00	Worked on declaration and exhibits in support of response to motion for summary judgment.	0.40	\$ 150.00	Unsuccessful Claims	TM
1687	11/19/2015	Marc Cote	0.30	\$ 375.00	\$ 112.50	Analyzed issues for response to summary judgment motion.	0.10	\$ 75.00	Unsuccessful Claims	TM
1688	11/19/2015	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Worked on response to Knight's motion for partial summary judgment [1.1].	0.50	\$ 285.00	Unsuccessful Claims	TM
1689	11/20/2015	Greg Wolk	0.50	\$ 425.00	\$ 212.50	confer with co-counsel re response to Knight's motion for partial summary judgment		\$ 212.50		RW
1690	11/20/2015	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	confer with co-counsel re response to Knight's motion for partial summary judgment		\$ 212.50		RW
1691	11/20/2015	Bradford Kinsey	2.80	\$ 100.00	\$ 280.00	Reviewed, revised and finalized Plaintiffs' response to Defendant's partial motion for partial summary judgment; finalized and finalized supporting Marshall declaration; prepared draft and finalized proposed order; arranged filing and service.	0.70	\$ 210.00	Unsuccessful Claims	TM
1692	11/20/2015	Holly Rota	1.00	\$ 100.00	\$ 100.00	Worked on response to defendant's motion for partial summary judgment; worked on and finalized declaration of Mr. Marshall in support of plaintiffs' response to defendant's motion for partial summary judgment	0.50	\$ 50.00	Unsuccessful Claims	TM
1693	11/20/2015	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Worked on response to Knight's motion for partial summary judgment, declaration in support of same, and proposed order granting same [3]; telephone conference with co-counsel regarding response to Knight's motion for partial summary judgment [2].	0.30	\$ 95.00	Unsuccessful Claims	TM
1694	11/23/2015	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Analyzed issues regarding damages data and left message with Dr. Munson regarding same [3]; worked on response to Knight's motion for partial summary judgment [1.4].	0.70	\$ 475.00	Unsuccessful Claims	TM
1695	11/24/2015	Marc Cote	0.30	\$ 375.00	\$ 112.50	Analyzed authentication issue for deposition transcript and sent email re same.	0.20	\$ 37.50	Unsuccessful Claims	TM
1696	11/27/2015	Marc Cote	0.10	\$ 375.00	\$ 37.50	Analyzed Knight's arguments in response to SJ motion.	0.10	\$ -	Efficiency	TM
1697	12/3/2015	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co counsel re reply ISO plts' motion for partial summary judgment		\$ 42.50		RW
1698	12/3/2015	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co counsel re reply ISO plts' motion for partial summary judgment		\$ 42.50		RW
1699	12/3/2015	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Worked on reply in support of Plaintiffs' motion for partial summary judgment [1.0]; telephone call from co-counsel regarding same [1].	0.50	\$ 285.00	Unsuccessful Claims	TM
1700	12/4/2015	Greg Wolk	0.60	\$ 425.00	\$ 255.00	revise reply to partial SJ	0.30	\$ 127.50	Unsuccessful claims	RW
1701	12/4/2015	Bradford Kinsey	2.30	\$ 100.00	\$ 230.00	Reviewed, revised and finalized reply in support of class certification; finalized supplemental Marshall declaration; arranged filing and service.		\$ 230.00		TM
1702	12/4/2015	Eden Nordby	1.00	\$ 150.00	\$ 150.00	Worked on declaration and exhibits in support of reply to motion for summary judgment.		\$ 150.00		TM
1703	12/4/2015	Toby Marshall	2.90	\$ 475.00	\$ 1,377.50	Worked on reply in support of motion for partial summary judgment [2.8]; email correspondence with expert regarding additional data analysis [1].	1.40	\$ 712.50	Unsuccessful Claims	TM
1704	12/7/2015	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on damages issues [2].		\$ 95.00		TM
1705	12/9/2015	Eden Nordby	0.30	\$ 150.00	\$ 45.00	Worked on file organization; updated production log.	0.20	\$ 15.00	Administrative	TM
1706	12/9/2015	Toby Marshall	3.10	\$ 475.00	\$ 1,472.50	Worked on plan for processing additional data and recalculating damages [1.5]; meeting with Dr. Munson regarding same [1.6].	0.80	\$ 1,092.50	Unsuccessful Claims	TM
1707	12/13/2015	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Reviewed Knight's reply in support of its motion for partial summary judgment [2]; analyzed issues regarding factual background and class definition and drafted email to co-counsel regarding same [2].		\$ 190.00		TM
1708	12/15/2015	Greg Wolk	1.30	\$ 425.00	\$ 552.50	review recent production and discovery responses		\$ 552.50		RW
1709	12/15/2015	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.62	strategize for trial; discussion regarding trial prep; review Defendants discovery supplement		\$ 212.62		RW
1710	12/16/2015	Greg Wolk	0.90	\$ 425.00	\$ 382.50	call witnesses re trial availability		\$ 382.50		RW
1711	12/17/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with Dr. Munson regarding delay in data production [1].		\$ 47.50		TM
1712	12/29/2015	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding damages data issues [1].		\$ 47.50		TM
1713	1/7/2016	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re request for damages data and trial preparations		\$ 42.50		RW
1714	1/7/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re request for damages data and trial preparations		\$ 42.50		RW
1715	1/7/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with opposing counsel regarding request for damages data [1.1]; telephone conference with co-counsel regarding same and trial preparations [1.1].		\$ 95.00		TM
1716	1/12/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding request for meet and confer to discuss Knight's failure to produce requested damages data [1.1].		\$ 47.50		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 63
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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1717	1/13/2016	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Prepared for telephone conference with opposing counsel regarding Knight's failure to timely produce damages data [.3]; telephone conference with opposing counsel regarding same [.2]; analyzed issues regarding same [.2].		\$ 332.50		TM
1718	1/18/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Worked on case strategy issues and email correspondence with co-counsel regarding same [.1].		\$ 47.50		TM
1719	1/19/2016	Greg Wolk	0.60	\$ 425.00	\$ 255.00	call witnesses re trial availability		\$ 255.00		RW
1720	1/20/2016	Greg Wolk	1.10	\$ 425.00	\$ 467.50	call witnesses re trial availability (.8); confer with co-counsel regarding trial plan (.3)		\$ 467.50		RW
1721	1/20/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	confer with co-counsel regarding trial plan		\$ 127.50		RW
1722	1/20/2016	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Telephone conference regarding case strategy issues [.2]		\$ 70.00		TM
1723	1/20/2016	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Telephone conference with co-counsel regarding trial plan [.3].		\$ 142.50		TM
1724	1/21/2016	Eden Nordby	0.50	\$ 150.00	\$ 75.00	Worked on document production management; updated production log.		\$ 75.00		TM
1725	1/21/2016	Toby Marshall	1.30	\$ 475.00	\$ 617.50	Reviewed damages data from Knight and analyzed issues regarding same [.7]; telephone conference with opposing counsel regarding same [.2]; exchanged messages with Dr. Munson regarding same [.1]; drafted email to opposing counsel regarding same [.1]; worked on trial strategy issues [.2].	0.20	\$ 522.50	Unsuccessful Claims	TM
1726	1/22/2016	Bradford Kinsey	0.10	\$ 100.00	\$ 10.00	Reviewed Tadano withdrawal of counsel; amended master caption.	0.10	\$ -	Administrative	TM
1727	1/22/2016	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Telephone conference with Dr. Munson regarding damages data [.4]; analyzed issues regarding same [.1]; email to opposing counsel regarding same [.1]; telephone conference with Mr. Tena regarding [redacted][.1].	0.10	\$ 285.00	Unsuccessful Claims	TM
1728	1/25/2016	Erika Nusser	0.10	\$ 350.00	\$ 35.00	Emails regarding pretrial deadlines [.1]		\$ 35.00		TM
1729	1/26/2016	Greg Wolk	1.60	\$ 425.00	\$ 680.00	draft calling script for witnesses; identify witnesses to call		\$ 680.00		RW
1730	1/26/2016	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Telephone conference with Dr. Munson regarding status of damages data [.1]; worked on trial plan issues [.3].	0.10	\$ 142.50	Unsuccessful Claims	TM
1731	1/27/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Reviewed records regarding exclusion requests; email correspondence regarding same.		\$ 30.00		TM
1732	1/27/2016	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Analyzed scheduling issues and emails regarding the same [.4]		\$ 140.00		TM
1733	1/27/2016	Hannelore Ohaus	0.20	\$ 75.00	\$ 15.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1734	1/27/2016	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Telephone conference with Dr. Munson regarding damages data and analysis [.1.0]; worked on issues regarding same [.2]; analyzed issues regarding case schedule and inability to prepare for trial without ruling on summary judgment motions [.4]; email correspondence with opposing counsel regarding same [.1].	0.30	\$ 665.00	Unsuccessful Claims	TM
1735	1/28/2016	Greg Wolk	0.50	\$ 425.00	\$ 212.50	confer with co-counsel regarding trial date, case schedule, and proposal to modify trial date and case schedule		\$ 212.50		RW
1736	1/28/2016	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	confer with co-counsel regarding trial date, case schedule, and proposal to modify trial date and case schedule		\$ 212.50		RW
1737	1/28/2016	Erika Nusser	1.50	\$ 350.00	\$ 525.00	Telephone conferences regarding expert issues and case schedule [.9]; worked on stipulation to extend trial date and emails regarding the same [.6]		\$ 525.00		TM
1738	1/28/2016	Hannelore Ohaus	0.50	\$ 75.00	\$ 37.50	Worked on docketing.	0.50	\$ -	Administrative	TM
1739	1/28/2016	Holly Rota	1.00	\$ 100.00	\$ 100.00	Worked on stipulation and proposed order regarding case schedule.	0.50	\$ 50.00	Efficiency	TM
1740	1/28/2016	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Analyzed issues regarding trial date and case schedule [.2]; telephone conference with opposing counsel regarding same and expert data issues [.2]; worked on trial plan issues [.2]; telephone conference with co-counsel regarding same and proposal to modify trial date and case schedule [.5]; worked on stipulation and proposed order vacating trial date pending court's decision on cross-motions for summary judgment [.1]; worked on update to website notice [.2].		\$ 665.00		TM
1741	1/29/2016	Holly Rota	0.50	\$ 100.00	\$ 50.00	Finalized stipulation and proposed order regarding case schedule; electronically filed same.		\$ 50.00		TM
1742	2/2/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Telephone conference with class member regarding [redacted].		\$ 30.00		TM
1743	2/2/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on scheduling of meeting to discuss trial plan [.1]; telephone call from Dr. Abbott regarding status of trial date [.1].		\$ 95.00		TM
1744	2/4/2016	Greg Wolk	1.00	\$ 425.00	\$ 425.00	confer w co-counsel re trial plan		\$ 425.00		RW
1745	2/4/2016	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	confer w co-counsel re trial plan		\$ 425.00		RW
1746	2/4/2016	Eden Nordby	1.00	\$ 150.00	\$ 150.00	Worked on issues regarding trial preparation projects and timeline.		\$ 150.00		TM
1747	2/4/2016	Erika Nusser	1.00	\$ 350.00	\$ 350.00	Telephone conference to discuss trial plan [1]		\$ 350.00		TM
1748	2/4/2016	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Prepared for telephone conference with co-counsel regarding trial preparation efforts [.1]; telephone conference with co-counsel regarding same [.6].		\$ 332.50		TM
1749	2/5/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email to opposing counsel regarding status of raw data for damages analyses [.1].		\$ 47.50		TM
1750	2/8/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email correspondence regarding trial preparation projects.		\$ 30.00		TM
1751	2/8/2016	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Telephone conference and emails regarding case strategy issues and script for class member calls [.3]		\$ 105.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1752	2/8/2016	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Worked on plan for calling potential trial witnesses and email correspondence with co-counsel regarding same [.3]; worked on script for calling potential trial witnesses [4]; prepared for telephone conference with opposing counsel regarding damages data issues [1]; participated in same [1]; analyzed issues regarding damages data and reviewed Knight's experts response to Dr. Abbott's second amended report [4]; telephone conference with co-counsel regarding damages data and witness calls [2].	0.10	\$ 665.00	Unsuccessful Claims	TM
1753	2/9/2016	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w co-counsel on plan for moving forward		\$ 127.50		RW
1754	2/9/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	confer on plan for moving forward		\$ 127.50		RW
1755	2/9/2016	Eden Nordby	2.50	\$ 150.00	\$ 375.00	Worked on index of potential trial witnesses and claims [2]; updated production log with documents produced to experts [5].		\$ 375.00		TM
1756	2/9/2016	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Telephone conference and email correspondence with Dr. Munson regarding discrepancies in damages data [4]; analyzed issues regarding discrepancies in damages data [2]; email to opposing counsel regarding same [1]; worked on scheduling of same [1]; worked on analysis of claims held by class members who may be trial witnesses [3].		\$ 522.50		TM
1757	2/10/2016	Eden Nordby	1.20	\$ 150.00	\$ 180.00	Worked on issues regarding potential witnesses; analyzed damages for same.		\$ 180.00		TM
1758	2/10/2016	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Analyzed factual issues for class members [redacted], and voicemail for [redacted] [3]; emails regarding calls to class members and factual issues [2]		\$ 175.00		TM
1759	2/12/2016	Toby Marshall	3.20	\$ 475.00	\$ 1,520.00	Prepared for telephone conference with opposing counsel and experts regarding discrepancies in damages data and analyzed issues regarding same [1.2]; telephone conference with opposing counsel and experts regarding discrepancies in damages data [1.0]; meeting with Dr. Munson regarding same [1.0].		\$ 1,520.00		TM
1760	2/15/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone call from Dr. Munson regarding analysis of damages data discrepancies [1.1].		\$ 47.50		TM
1761	2/18/2016	Greg Wolk	0.30	\$ 425.00	\$ 127.50	revise calling script		\$ 127.50		RW
1762	2/18/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Updated production log.		\$ 30.00		TM
1763	2/18/2016	Erika Nusser	0.60	\$ 350.00	\$ 210.00	Worked on adding information regarding Denham Amendment to class member call script and emails regarding the same [6]		\$ 210.00		TM
1764	2/18/2016	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Analyzed issues regarding damages data [6]; emails to opposing counsel and Dr. Munson regarding same [2].		\$ 380.00		TM
1765	2/26/2016	Eden Nordby	0.70	\$ 150.00	\$ 105.00	Reviewed class member call script; worked on contacting potential class member witnesses [redacted]; updated tracking spreadsheet.		\$ 105.00		TM
1766	3/10/2016	Greg Wolk	0.40	\$ 425.00	\$ 170.00	speak to driver witness re case		\$ 170.00		RW
1767	3/16/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Message from Mr. Tena regarding [redacted] [1.1]; telephone conference with Mr. Tena regarding same [1.1].		\$ 95.00		TM
1768	3/17/2016	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Reviewed email from court clerk regarding setting of hearing on motions for summary judgment and email correspondence with co-counsel and opposing counsel regarding same [2]; analyzed issues regarding inquiry by widow of class member [redacted] and email correspondence with co-counsel regarding same [1]; worked on preparing notebook for hearing on motions for summary judgment [2]; worked on case management issues [2].		\$ 332.50		TM
1769	3/18/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Telephone conference with non-class member regarding case status.	0.20	\$ -	Relevance	TM
1770	3/18/2016	Hannelore Ohaus	0.30	\$ 75.00	\$ 22.50	Worked on docketing.	0.30	\$ -	Administrative	TM
1771	3/18/2016	Razel Agustino	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1772	3/18/2016	Sam Hoover	1.50	\$ 50.00	\$ 75.00	Created case management notebooks for Mr. Marshall re Motions for Summary Judgment	1.50	\$ -	Administrative	TM
1773	3/18/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with court and co-counsel regarding scheduling of Knight hearing; docketed same [1.1].		\$ 47.50		TM
1774	4/8/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with co-counsel regarding scheduling of moot for upcoming hearing on summary judgment motions [1.1].		\$ 47.50		TM
1775	4/15/2016	Holly Rota	0.50	\$ 100.00	\$ 50.00	Update client contact information.		\$ 50.00		TM
1776	4/15/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Prepared for argument on motions for partial summary judgment [1.1].	0.10	\$ -	Unsuccessful Claims	TM
1777	4/17/2016	Toby Marshall	1.80	\$ 475.00	\$ 855.00	Reviewed briefing and case law in preparation for hearing on motions for partial summary judgment [1.8].	0.90	\$ 427.50	Unsuccessful Claims	TM
1778	4/18/2016	Toby Marshall	1.40	\$ 475.00	\$ 665.00	Researched and analyzed issues regarding motions for partial summary judgment and worked on outline of argument for hearing on same [1.4].	0.70	\$ 332.50	Unsuccessful Claims	TM
1779	4/19/2016	Greg Wolk	2.00	\$ 425.00	\$ 850.00	meet with co-counsel to prep for hearing	1.00	\$ 425.00	Unsuccessful claims	RW
1780	4/19/2016	Hardeep Rekhi	3.33	\$ 425.00	\$ 1,413.24	Moot Court Argument/ strategize Summary judgment argument	1.30	\$ 860.74	Unsuccessful Claims	RW
1781	4/19/2016	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	meet with co-counsel to prep for hearing	1.00	\$ 425.00	Unsuccessful claims	RW
1782	4/19/2016	Erika Nusser	2.50	\$ 350.00	\$ 875.00	Travelled to and from and participated in preparation for hearing on plaintiffs' motion for partial summary judgment, and researched legal and factual issues related to the same [2.5]	0.60	\$ 665.00	Unsuccessful Claims	TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
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	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1783	4/19/2016	Toby Marshall	9.50	\$ 475.00	\$ 4,512.50	Researched and analyzed issues regarding motions for partial summary judgment and worked on outline of argument and PowerPoint presentation for hearing on same [5.4]; traveled to, participated in, and returned from meeting with co-counsel to moot argument for hearing on motions for partial summary judgment [4.1].	4.80	\$ 2,232.50	Unsuccessful Claims	TM
1784	4/20/2016	Greg Wolk	0.90	\$ 425.00	\$ 382.50	confer with co-counsel re motion for partial summary judgment		\$ 382.50		RW
1785	4/20/2016	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	confer with co-counsel re motion for partial summary judgment		\$ 382.50		RW
1786	4/20/2016	Erika Nusser	0.90	\$ 350.00	\$ 315.00	Conference in preparation for hearing on plaintiffs' motion for partial summary judgment [9]	0.20	\$ 245.00	Unsuccessful Claims	TM
1787	4/20/2016	Toby Marshall	6.90	\$ 475.00	\$ 3,277.50	Researched and analyzed issues regarding motions for partial summary judgment and worked on outline of argument and PowerPoint presentation for hearing on same [6.0]; telephone conference with co-counsel regarding same [9].	3.50	\$ 1,615.00	Unsuccessful Claims	TM
1788	4/21/2016	Greg Wolk	1.30	\$ 425.00	\$ 552.50	prep and attend SJ hearing	0.70	\$ 255.00	Unsuccessful claims	RW
1789	4/21/2016	Erika Nusser	3.30	\$ 350.00	\$ 1,155.00	Prepared for, travelled to and from and attended hearing on parties' cross motions for partial summary judgment [3.3]	0.80	\$ 875.00	Unsuccessful Claims	TM
1790	4/21/2016	Marc Cote	0.20	\$ 375.00	\$ 75.00	Conference regarding summary judgment hearing.	0.20	\$ -	Efficiency	TM
1791	4/21/2016	Sam Hoover	4.00	\$ 50.00	\$ 200.00	Prepared ipad for Mr. Marshall's use in court; Tested presentation display on external screen; Gave tutorial to Mr. Marshall and Ms. Nusser re using PowerPoint on the ipad; Prepared physical copies of Mr. Marshall's presentation for use in court;	4.00	\$ -	Administrative	TM
1792	4/21/2016	Toby Marshall	6.70	\$ 475.00	\$ 3,182.50	Worked on argument for hearing on motions for partial summary judgment [3.8]; traveled to, attended, and returned from hearing on motions for partial summary judgment [2.4]; meeting with co-counsel regarding same [5].	3.40	\$ 1,567.50	Unsuccessful Claims	TM
1793	4/26/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email correspondence with co-counsel regarding hearing presentation.		\$ 30.00		TM
1794	4/27/2016	Greg Wolk	0.50	\$ 425.00	\$ 212.50	review Order on SJ		\$ 212.50		RW
1795	4/27/2016	Hardeep Rekhi	0.75	\$ 425.00	\$ 318.75	Review order; email regarding the same		\$ 318.75		RW
1796	4/27/2016	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Order on motions for summary judgment and emails regarding the same [5]	0.30	\$ 70.00	Unsuccessful Claims	TM
1797	4/27/2016	Hannelore Ohaus	0.30	\$ 75.00	\$ 22.50	Worked on docketing.	0.30	\$ -	Administrative	TM
1798	4/27/2016	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Reviewed order on motions for summary judgment and analyzed issues regarding same [4].	0.20	\$ 95.00	Unsuccessful Claims	TM
1799	5/2/2016	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Reviewed correspondence regarding case update and new case schedule.		\$ 15.00		TM
1800	5/2/2016	Toby Marshall	1.60	\$ 475.00	\$ 760.00	Analyzed issues regarding claims to be tried, damages data analyses, and proposed case schedule in preparation for telephone conference with opposing counsel [6]; telephone conference with opposing counsel regarding damages data analyses, mediation scheduling, and case schedule [2]; worked on proposed case schedule [3]; email correspondence with co-counsel regarding telephone conference with opposing counsel and proposed case schedule [2]; worked on issues regarding damages calculations [3].		\$ 760.00		TM
1801	5/3/2016	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Analyzed issues regarding schedule for exchange of damages calculations and pre-mediation offers [3]; email to opposing counsel regarding proposed case schedule and deadlines for exchange of damages calculations and pre-mediation offers [2]; analyzed issues regarding settlement strategy [2].		\$ 332.50		TM
1802	5/5/2016	Greg Wolk	0.60	\$ 425.00	\$ 255.00	confer w co-counsel re case schedule, data production and analyses, and mediation issues		\$ 255.00		RW
1803	5/5/2016	Hardeep Rekhi	0.60	\$ 425.00	\$ 256.06	Call potential class member; strategize mediation; Discussion regarding new class members		\$ 256.06		RW
1804	5/5/2016	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	confer w co-counsel re case schedule, data production and analyses, and mediation issues		\$ 255.00		RW
1805	5/5/2016	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Telephone conference with co-counsel regarding [redacted] [4]; telephone conference with opposing counsel regarding case schedule, data production and analyses, and mediation issues [2]; telephone conference with co-counsel regarding same [2]; email correspondence with Ms. Roberts, co-counsel, and opposing counsel regarding proposed trial dates [1]; worked on revisions to proposed case schedule and email to opposing counsel regarding same [2].		\$ 522.50		TM
1806	5/6/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with Ms. Roberts, opposing counsel, and co-counsel regarding case scheduling issues [2].		\$ 95.00		TM
1807	5/16/2016	Bradford Kinsey	0.40	\$ 100.00	\$ 40.00	Prepared 4/21/16 hearing transcript request [1]; arranged filing and service [1]; email correspondence to and from Ms. Zurn [1]; requested check payment and arranged messenger [1].		\$ 40.00		TM
1808	5/16/2016	Hannelore Ohaus	0.60	\$ 75.00	\$ 45.00	Worked on docketing.	0.60	\$ -	Administrative	TM
1809	5/16/2016	Razel Agustino	0.30	\$ 75.00	\$ 22.50	Worked on docketing.	0.30	\$ -	Administrative	TM
1810	5/18/2016	Hardeep Rekhi	0.25	\$ 425.00	\$ 106.49	teleconference with witness		\$ 106.49		RW
1811	5/23/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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AND REIMBURSEMENT OF LITIGATION COSTS - 66
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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1812	5/25/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Followed up with class representative regarding [redacted].		\$ 30.00		TM
1813	6/2/2016	Eden Nordby	0.80	\$ 150.00	\$ 120.00	Worked on issues regarding defendant's document production.		\$ 120.00		TM
1814	6/3/2016	Eden Nordby	0.30	\$ 150.00	\$ 45.00	Worked on document production management; email correspondence regarding same.		\$ 45.00		TM
1815	6/3/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding damages data [2].		\$ 95.00		TM
1816	6/9/2016	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer w co-counsel re moving forward		\$ 85.00		RW
1817	6/9/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer w co-counsel re moving forward		\$ 85.00		RW
1818	6/9/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone conference with co-counsel regarding damages data [1].		\$ 47.50		TM
1819	6/17/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding [redacted] [2].		\$ 95.00		TM
1820	6/20/2016	Toby Marshall	1.60	\$ 475.00	\$ 760.00	Worked on damages data issues and analysis [1.5]; email to opposing counsel regarding same [1].		\$ 760.00		TM
1821	6/22/2016	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding damages data and email correspondence with opposing counsel regarding same [3].		\$ 142.50		TM
1822	7/7/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Telephone conference with Mr. Tena regarding [redacted]; updated address in class list.		\$ 30.00		TM
1823	7/12/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with opposing counsel regarding status of damages data extraction [1]; email correspondence with co-counsel and Dr. Munson regarding same [1].		\$ 95.00		TM
1824	7/13/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone call from Dr. Munson regarding damages data analysis [1].		\$ 47.50		TM
1825	7/15/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Left message with Dr. Munson regarding meeting to analyze damages data and calculations [1].		\$ 47.50		TM
1826	7/19/2016	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Analyzed issues regarding mediation and email correspondence with co-counsel and opposing counsel regarding same [2]; analyzed issues regarding damages analyses and calculations and email correspondence with opposing counsel regarding same [2]; exchanged messages with Dr. Munson regarding damages analyses and calculations [1]; telephone conference with Dr. Munson regarding meeting to analyze damages data and prepare calculations [1].		\$ 285.00		TM
1827	7/21/2016	Eden Nordby	1.00	\$ 150.00	\$ 150.00	Updated production log; worked on document production for expert review; forwarded same.		\$ 150.00		TM
1828	7/21/2016	Toby Marshall	2.20	\$ 475.00	\$ 1,045.00	Analyzed issues regarding damages data needed for mediation and email correspondence with opposing counsel regarding same [2]; prepared for meeting with Dr. Munson regarding damages data and calculations [3]; participated in same [1.4]; worked on getting additional document production to Dr. Munson [2]; email to Dr. Munson regarding updated class list, prejudgment interest, and extrapolations for current employees [1].		\$ 1,045.00		TM
1829	7/22/2016	Eden Nordby	0.50	\$ 150.00	\$ 75.00	Worked on issues regarding document production for expert; email correspondence to expert regarding same.		\$ 75.00		TM
1830	7/25/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email correspondence to expert regarding [redacted].		\$ 30.00		TM
1831	7/26/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with co-counsel and opposing counsel regarding proposed mediation dates [1]; worked on efforts to lock in date [1].		\$ 95.00		TM
1832	7/27/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1833	7/27/2016	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Email correspondence with co-counsel and opposing counsel regarding scheduling of mediation [2]; worked on issues related to same [3].		\$ 237.50		TM
1834	7/28/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review email correspondence		\$ 85.00		RW
1835	8/1/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Email correspondence regarding knight and review of bickley		\$ 42.50		RW
1836	8/2/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on damages data analyses [2].		\$ 95.00		TM
1837	8/3/2016	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Worked on docketing.	0.10	\$ -	Administrative	TM
1838	8/3/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1839	8/4/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1840	8/4/2016	Razel Agustino	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1841	8/5/2016	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Left message with Dr. Munson regarding status of damages data analyses [1]; telephone conference with Dr. Munson regarding same [2].		\$ 142.50		TM
1842	8/7/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email and voicemail messages from Dr. Munson regarding damages data calculations [1]; analyzed issues regarding same [1].		\$ 95.00		TM
1843	8/8/2016	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Analyzed issues regarding exchange of damages calculations, mediation, and scheduling [4]; email correspondence with opposing counsel regarding same [1]; telephone call from opposing counsel regarding same [3].		\$ 380.00		TM
1844	8/9/2016	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w co-counsel re schedule		\$ 127.50		RW
1845	8/9/2016	Toby Marshall	1.60	\$ 475.00	\$ 760.00	Analyzed issues regarding case strategy, modifications to schedule, and proposed additional class [4]; telephone conference with co-counsel regarding same [3]; drafted proposed stipulation and order for modification of deadlines [3]; email to co-counsel regarding same [1]; email to opposing counsel regarding proposed case schedule modifications and settlement data [1]; analyzed issues regarding damages calculations and related data [4].		\$ 760.00		TM
1846	8/10/2016	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Telephone conferences with Dr. Munson regarding damages calculations [1.5]; worked on same [2].		\$ 807.50		TM

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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1847	8/11/2016	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w co-counsel re schedule and mediation		\$ 127.50		RW
1848	8/11/2016	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	Settlement Discussion with Mediator		\$ 382.50		RW
1849	8/11/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Discuss mediation		\$ 85.00		RW
1850	8/11/2016	Toby Marshall	1.90	\$ 475.00	\$ 902.50	Worked on damages calculations [.6]; telephone conferences with Dr. Munson regarding same [1.3].		\$ 902.50		TM
1851	8/12/2016	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer w co-counsel re damages		\$ 85.00		RW
1852	8/12/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer w co-counsel re damages		\$ 85.00		RW
1853	8/12/2016	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Telephone conference with Dr. Munson regarding damages calculations [.8]; telephone conference with co-counsel regarding same [.2]; email correspondence with opposing counsel regarding exchange of damages calculations [.1]; analyzed issues regarding same [.1].		\$ 570.00		TM
1854	8/14/2016	Toby Marshall	3.30	\$ 475.00	\$ 1,567.50	Telephone conference with Dr. Munson regarding damages calculations [3.3].		\$ 1,567.50		TM
1855	8/15/2016	Hardeep Rekhi	3.20	\$ 425.00	\$ 1,360.00	Telephone call with witness		\$ 1,360.00		RW
1856	8/15/2016	Toby Marshall	1.80	\$ 475.00	\$ 855.00	Telephone conferences with Dr. Munson regarding damages calculations [1.7]; email correspondence with opposing counsel regarding same [.1].		\$ 855.00		TM
1857	8/16/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Telephone call w/ co-counsel		\$ 42.50		RW
1858	8/16/2016	Toby Marshall	2.30	\$ 475.00	\$ 1,092.50	Analyzed issues regarding damages calculations and email correspondence with co-counsel regarding same [.2]; telephone conferences with Dr. Munson regarding damages calculations [.6]; worked on narrative explanation of process for calculating damages [1.5].		\$ 1,092.50		TM
1859	8/17/2016	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer w co-counsel regarding damages calculations and settlement strategy		\$ 170.00		RW
1860	8/17/2016	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	Review Damages Spreadsheet		\$ 467.50		RW
1861	8/17/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	review damages		\$ 127.50		RW
1862	8/17/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review excel sheets related to damages		\$ 85.00		RW
1863	8/17/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	teleconference with co-counsel		\$ 42.50		RW
1864	8/17/2016	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	Review Damages Spreadsheets		\$ 255.00		RW
1865	8/17/2016	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	confer w co-counsel regarding damages calculations and settlement strategy		\$ 170.00		RW
1866	8/17/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1867	8/17/2016	Toby Marshall	4.20	\$ 475.00	\$ 1,995.00	Worked on narrative explanation of damages calculations [1.8]; email correspondence with Dr. Munson regarding same [.1]; worked on damages calculations and email correspondence with Dr. Munson regarding same [.3]; telephone conference with co-counsel regarding damages calculations and settlement strategy [.4]; telephone conferences with Dr. Munson regarding narrative explanation of damages calculations and corrections to damages calculations [.9]; worked on project for identifying declarants with minimum wage violations [.1]; email to opposing counsel regarding damages calculations and supporting information [.1]; reviewed and analyzed issues regarding Knight's damages calculations and email correspondence with Dr. Munson and co-counsel regarding same [.5].		\$ 1,995.00		TM
1868	8/18/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Email Correspondence		\$ 42.50		RW
1869	8/18/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1870	8/18/2016	Razel Agustino	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1871	8/18/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with Mr. Tena regarding [redacted] [.2].		\$ 95.00		TM
1872	8/19/2016	Hardeep Rekhi	1.40	\$ 425.00	\$ 595.00	Review Knight Damages issues		\$ 595.00		RW
1873	8/19/2016	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Reviewed damages data for class member declarants; email correspondence regarding same.		\$ 60.00		TM
1874	8/19/2016	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Analyzed issues regarding minimum wage claim [.1]; telephone conference with Dr. Munson regarding issues with Knight's rest break damages calculations [.6].		\$ 332.50		TM
1875	8/23/2016	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Email and telephone call from Dr. Munson regarding additional data analysis for damages calculations [.4].		\$ 190.00		TM
1876	8/25/2016	Greg Wolk	2.80	\$ 425.00	\$ 1,190.00	draft mediation letter		\$ 1,190.00		RW
1877	8/26/2016	Greg Wolk	1.30	\$ 425.00	\$ 552.50	revise mediation letter [.9]; confer w client re availability and status of case (.3); confer with co-counsel re settlement issues (.1)		\$ 552.50		RW
1878	8/26/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	review mediation brief		\$ 42.50		RW
1879	8/26/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer w co-counsel re settlement issues		\$ 42.50		RW
1880	8/26/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone conference with co-counsel regarding settlement issues [.1]; worked on mediation submission [.1].		\$ 95.00		TM
1881	8/28/2016	Toby Marshall	1.60	\$ 475.00	\$ 760.00	Worked on mediation submission [1.6].		\$ 760.00		TM
1882	8/29/2016	Greg Wolk	0.40	\$ 425.00	\$ 170.00	revise mediation letter		\$ 170.00		RW
1883	8/30/2016	Greg Wolk	0.30	\$ 425.00	\$ 127.50	finalize mediation letter		\$ 127.50		RW
1884	8/30/2016	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	correspondence re settlement		\$ 510.00		RW
1885	8/30/2016	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	Review issues related to knight fees		\$ 170.00		RW
1886	8/30/2016	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Worked on mediation submission [.3].		\$ 142.50		TM
1887	9/1/2016	Greg Wolk	0.20	\$ 425.00	\$ 85.00	contact clients re mediation		\$ 85.00		RW

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1	A Date	B Professional	C Units	D Price	E Value	F Narrative	G Writedown	H Revised Value	I Writedown Explanation	J Firm
1888	9/1/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review expert data; review issues for mediation; review mediation letter		\$ 85.00		RW
1889	9/1/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Review issues related to mediation		\$ 42.50		RW
1890	9/2/2016	Hardeep Rekhi	1.70	\$ 425.00	\$ 722.50	Review issues related to mediation		\$ 722.50		RW
1891	9/2/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with co-counsel regarding mediation submission [1]; email correspondence with expert regarding invoice [1].	0.10	\$ 47.50	Administrative	TM
1892	9/4/2016	Toby Marshall	2.80	\$ 475.00	\$ 1,330.00	Worked on damage and class member share calculations, settlement strategy, and other issues in preparation for mediation [2.8].		\$ 1,330.00		TM
1893	9/5/2016	Greg Wolk	2.20	\$ 425.00	\$ 935.00	prepare for mediation -review caselaw and orders (1); analyze approach with co-counsel (1.2)		\$ 935.00		RW
1894	9/5/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review email correspondence; follow up on the same		\$ 85.00		RW
1895	9/5/2016	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	analyze approach for mediation with co-counsel (1.2)		\$ 510.00		RW
1896	9/5/2016	Toby Marshall	3.90	\$ 475.00	\$ 1,852.50	Prepared for mediation by working on settlement strategy and researching and analyzing various issues regarding damages calculations, appropriate rate of pay for rest break damages, prejudgment interest entitlement, and alleged defense to willfulness claim [2.4]; email correspondence with co-counsel regarding mediation submissions [1]; telephone conference with co-counsel regarding strategy for mediation and issues raised in Knight's mediation submission [1.2]; email to co-counsel regarding damages spreadsheet [2].		\$ 1,852.50		TM
1897	9/6/2016	Greg Wolk	10.50	\$ 425.00	\$ 4,462.50	attend mediation		\$ 4,462.50		RW
1898	9/6/2016	Hardeep Rekhi	10.50	\$ 425.00	\$ 4,462.50	Mediation		\$ 4,462.50		RW
1899	9/6/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on file organization.	0.20	\$ -	Administrative	TM
1900	9/6/2016	Erika Nusser	11.00	\$ 350.00	\$ 3,850.00	Prepared for, travelled to and from, and attended mediation [11]		\$ 3,850.00		TM
1901	9/6/2016	Toby Marshall	10.70	\$ 475.00	\$ 5,082.50	Traveled to, participated in, and returned from mediation [10.7].		\$ 5,082.50		TM
1902	9/7/2016	Greg Wolk	0.40	\$ 425.00	\$ 170.00	call clients re mediation		\$ 170.00		RW
1903	9/7/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	review email correspondence and follow up regarding settlement		\$ 42.50		RW
1904	9/7/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone call from Mr. Tena regarding [redacted] [1].		\$ 47.50		TM
1905	9/8/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	review email correspondence regarding settlement		\$ 42.50		RW
1906	9/8/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding expert deadlines and email correspondence with opposing counsel regarding same [2].		\$ 95.00		TM
1907	9/9/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	email correspondence re settlement		\$ 42.50		RW
1908	9/9/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel and co-counsel regarding settlement [1].		\$ 47.50		TM
1909	9/12/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	review email correspondence;		\$ 42.50		RW
1910	9/12/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1911	9/12/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with opposing counsel regarding expert disclosure deadline [1]; analyzed issues regarding settlement negotiations and email correspondence with co-counsel regarding same [1].		\$ 95.00		TM
1912	9/13/2016	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer w co-counsel re new settlement information		\$ 85.00		RW
1913	9/13/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	review email correspondence		\$ 42.50		RW
1914	9/13/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer w co-counsel re new settlement information		\$ 85.00		RW
1915	9/13/2016	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Telephone call from opposing counsel regarding settlement negotiations [5]; telephone conference with co-counsel regarding same [4]; email correspondence with opposing counsel regarding rates charged by plaintiffs' counsel [1].		\$ 475.00		TM
1916	9/14/2016	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review emails from mediator and co-counsel re settlement (2); confer re response (1)		\$ 127.50		RW
1917	9/14/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	email correspondence re settlement		\$ 42.50		RW
1918	9/14/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer re response to e-mails from mediator re settlement (1)		\$ 42.50		RW
1919	9/14/2016	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Analyzed issues regarding settlement negotiations and email correspondence with Judge Kallas and co-counsel regarding same [3]; telephone call from co-counsel regarding same [1]; analyzed issues regarding damages calculations and underlying data [4]; worked on issues regarding amended expert report [2].		\$ 475.00		TM
1920	9/15/2016	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w co-counsel re settlement negotiations		\$ 127.50		RW
1921	9/15/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Emails re settlement		\$ 42.50		RW
1922	9/15/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	confer w co-counsel re settlement negotiations		\$ 127.50		RW
1923	9/15/2016	Toby Marshall	1.80	\$ 475.00	\$ 855.00	Telephone call from co-counsel regarding settlement negotiations [3]; analyzed issues regarding rest break calculations by experts on both sides [1.1]; telephone conference with Dr. Munson regarding same [4].		\$ 855.00		TM
1924	9/16/2016	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer with co-counsel re settlement negotiations and expert calculations		\$ 170.00		RW
1925	9/16/2016	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	Discussion with co-counsel regarding settlement offer; exclusion of expert		\$ 212.50		RW
1926	9/16/2016	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	confer with co-counsel re settlement negotiations and expert calculations		\$ 170.00		RW

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	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1927	9/16/2016	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Worked on settlement negotiation and analyzed issues regarding expert calculations [.9]; telephone conference with co-counsel regarding same [.4]; telephone conference with Dr. Abbott regarding amended report and trial testimony [.1]; email correspondence with Dr. Abbott regarding data and calculations for settlement [.1].		\$ 712.50		TM
1928	9/18/2016	Toby Marshall	2.80	\$ 475.00	\$ 1,330.00	Analyzed issues regarding damages calculations and data and worked on third amended expert report [1.0]; researched and analyzed issues regarding defendants arguments in settlement negotiations and drafted memorandum responding to same [1.8].		\$ 1,330.00		TM
1929	9/19/2016	Greg Wolk	0.30	\$ 425.00	\$ 127.50	review settlement offer and draft response to co-counsel		\$ 127.50		RW
1930	9/19/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Settlement discussions regarding case; emails regarding the same		\$ 85.00		RW
1931	9/19/2016	Toby Marshall	4.00	\$ 475.00	\$ 1,900.00	Prepared for meeting with experts to work on third amended report [.1]; meeting with experts regarding damages calculations and third amended report [2.2]; worked on trial preparation and strategy issues [.3]; telephone conferences with co-counsel and Judge Kallas regarding settlement negotiations [.7]; telephone conference with opposing counsel regarding same [.7].		\$ 1,900.00		TM
1932	9/20/2016	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re settlement negotiations		\$ 85.00		RW
1933	9/20/2016	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	Review email correspondence; send out email re same		\$ 170.00		RW
1934	9/20/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re settlement negotiations		\$ 85.00		RW
1935	9/20/2016	Toby Marshall	5.30	\$ 475.00	\$ 2,517.50	Worked on settlement negotiations and email correspondence with co-counsel and opposing counsel regarding same [.5]; telephone conference with co-counsel regarding same [.2]; worked on damages calculations and third amended expert report [3.8]; telephone conferences with expert regarding same [.8].		\$ 2,517.50		TM
1936	9/21/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review and respond to email correspondence		\$ 85.00		RW
1937	9/21/2016	Megan Wildhood	0.70	\$ 75.00	\$ 52.50	Production management.	0.70	\$ -	Administrative	TM
1938	9/21/2016	Toby Marshall	6.40	\$ 475.00	\$ 3,040.00	Worked on third amended expert report [1.3]; worked on damages calculations [2.4]; telephone conferences with Dr. Munson regarding damages calculations and third amended expert report [2.6]; telephone conference with Dr. Abbott regarding same [.1].		\$ 3,040.00		TM
1939	9/22/2016	Greg Wolk	1.60	\$ 425.00	\$ 680.00	analyze damage analysis and settlement offer		\$ 680.00		RW
1940	9/22/2016	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer with co-counsel re Knight's current rest break practices		\$ 127.50		RW
1941	9/22/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Review Damages documents		\$ 127.50		RW
1942	9/22/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	confer with co-counsel re Knight's current rest break practices		\$ 127.50		RW
1943	9/22/2016	Toby Marshall	7.60	\$ 475.00	\$ 3,610.00	Worked on third amended expert report [4.7]; telephone calls from and email correspondence with Dr. Munson regarding same [1.7]; telephone conference with Dr. Abbott regarding same [.1]; analyzed issues regarding Knight's current rest break practices [.3]; telephone conference with co-counsel regarding same [.3]; reviewed damages calculations and analyzed issues regarding same [.5].		\$ 3,610.00		TM
1944	9/23/2016	Greg Wolk	1.30	\$ 425.00	\$ 552.50	contact clients re [redacted] (.5); confer with co-counsel re settlement and expert report		\$ 552.50		RW
1945	9/23/2016	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	Review case file for trial prep		\$ 297.50		RW
1946	9/23/2016	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	confer with co-counsel re settlement and expert report		\$ 340.00		RW
1947	9/23/2016	Erika Nusser	3.00	\$ 350.00	\$ 1,050.00	Emails regarding settlement issues [.3]; analyzed expert reports [1.4]; conferences regarding settlement and trial strategy issues [1.3]		\$ 1,050.00		TM
1948	9/23/2016	Hannelore Ohaus	1.30	\$ 75.00	\$ 97.50	Ran PeopleMap searches for class member background information [.8]; Worked on docketing [.5].	0.50	\$ 60.00		TM
1949	9/23/2016	Toby Marshall	8.00	\$ 475.00	\$ 3,800.00	Telephone conferences with Dr. Munson regarding damages calculations and expert report [.5]; worked on expert report [3.8]; telephone conference with Dr. Abbott regarding same [.7]; telephone conferences with co-counsel regarding settlement and expert report [.8]; worked on settlement issues [.4]; telephone conference with opposing counsel regarding settlement [.2]; worked on trial preparation issues [1.6].		\$ 3,800.00		TM
1950	9/27/2016	Greg Wolk	0.20	\$ 425.00	\$ 85.00	contact clients re [redacted]		\$ 85.00		RW
1951	9/27/2016	Erika Nusser	1.70	\$ 350.00	\$ 595.00	Commenced working on pretrial statement and analyzing production for exhibit list for trial [1.7]		\$ 595.00		TM
1952	9/27/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
1953	9/29/2016	Greg Wolk	2.30	\$ 425.00	\$ 977.50	contact drivers as witnesses for trial (1.8); confer with co-counsel (.5)		\$ 977.50		RW
1954	9/29/2016	Hardeep Rekhi	0.50	\$ 425.00	\$ 212.50	confer with co-counsel		\$ 212.50		RW
1955	9/29/2016	Eden Nordby	0.50	\$ 150.00	\$ 75.00	Telephone conference with co-counsel regarding [redacted]; email correspondence regarding [redacted].		\$ 75.00		TM
1956	9/29/2016	Erika Nusser	7.00	\$ 350.00	\$ 2,450.00	Telephone conference and emails regarding class member calls in preparation for trial [.2]; analyzed production and worked on exhibit list for trial [6.8]		\$ 2,450.00		TM
1957	9/30/2016	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	Review case documents related expert		\$ 297.50		RW
1958	9/30/2016	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	Review case documents; review memo re expert		\$ 170.00		RW
1959	9/30/2016	Erika Nusser	7.50	\$ 350.00	\$ 2,625.00	Continued analyzing production and working on exhibit list for trial [7.5]		\$ 2,625.00		TM
1960	9/30/2016	Hannelore Ohaus	0.20	\$ 75.00	\$ 15.00	Worked on docketing.	0.20	\$ -	Administrative	TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1961	10/3/2016	Greg Wolk	2.80	\$ 425.00	\$ 1,190.00	review draft exhibit list (1); contact drivers for trial testimony (1.8)		\$ 1,190.00		RW
1962	10/3/2016	Hardeep Rekhi	1.50	\$ 425.00	\$ 637.50	Review documents; Review Quast Dep; Trial Prep; designate dep testimony		\$ 637.50		RW
1963	10/3/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding pretrial statement and trial strategy [2].		\$ 95.00		TM
1964	10/4/2016	Greg Wolk	0.90	\$ 425.00	\$ 382.50	confer with co-counsel re settlement and trial strategy issues		\$ 382.50		RW
1965	10/4/2016	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	Settlement discussions; ER 408 emails; review case file; prepare for trial		\$ 510.00		RW
1966	10/4/2016	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	confer with co-counsel re settlement and trial strategy issues		\$ 382.50		RW
1967	10/4/2016	Eden Nordby	2.00	\$ 150.00	\$ 300.00	Worked on issues regarding contacting potential trial witnesses; made calls to class members regarding [redacted].		\$ 300.00		TM
1968	10/4/2016	Erika Nusser	2.00	\$ 350.00	\$ 700.00	Telephone conferences regarding settlement and trial strategy issues [1.3]; conference regarding calls to locate trial witnesses [3]; worked on call script to locate trial witnesses and emails regarding the same [4]		\$ 700.00		TM
1969	10/4/2016	Hannelore Ohaus	1.40	\$ 75.00	\$ 105.00	Made phone calls to potential trial witnesses.		\$ 105.00		TM
1970	10/4/2016	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Prepared for telephone conference with co-counsel regarding settlement and trial strategy issues [1]; participated in same [9]; analyzed issues regarding settlement talks [2].		\$ 570.00		TM
1971	10/5/2016	Greg Wolk	1.20	\$ 425.00	\$ 510.00	call drivers for trial availability (1); confer w co-counsel re settlement (.2)		\$ 510.00		RW
1972	10/5/2016	Hardeep Rekhi	2.00	\$ 425.00	\$ 850.00	review email correspondence and follow up regarding trial prep; review case orders;		\$ 850.00		RW
1973	10/5/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer w co-counsel re settlement		\$ 85.00		RW
1974	10/5/2016	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Telephone conference with class member regarding [redacted].		\$ 60.00		TM
1975	10/5/2016	Toby Marshall	1.50	\$ 475.00	\$ 712.50	Telephone conferences with co-counsel regarding settlement negotiations, trial exhibits, and motions in limine [1.3]; telephone conference with opposing counsel regarding settlement negotiations [2].		\$ 712.50		TM
1976	10/6/2016	Greg Wolk	1.60	\$ 425.00	\$ 680.00	review Knight motion for continuance (6); research opp (.6); confer with co-counsel re settlement strategy and pretrial preparations (.4)		\$ 680.00		RW
1977	10/6/2016	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	Prepare for Trial; email correspondence and discussion re continuance		\$ 297.50		RW
1978	10/6/2016	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	confer with co-counsel re settlement strategy and pretrial preparations		\$ 170.00		RW
1979	10/6/2016	Toby Marshall	2.10	\$ 475.00	\$ 997.50	Exchanged messages with opposing counsel regarding settlement negotiations [1]; telephone conference with co-counsel regarding settlement strategy and pretrial preparations [4]; worked on trial preparations [5]; telephone conference with opposing counsel regarding settlement negotiations and defendant's request to continue trial date [3]; telephone conference with co-counsel regarding same [4]; worked on settlement issues [2]; reviewed motion to continue trial date and analyzed issues regarding same [2].		\$ 997.50		TM
1980	10/7/2016	Greg Wolk	4.30	\$ 425.00	\$ 1,827.50	speaking w drivers re trial availability (3.2); confer with co-counsel re trial witnesses, deposition designations and settlement issues (1.1)		\$ 1,827.50		RW
1981	10/7/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Discussion re trial prep; email correspondence re continuance		\$ 127.50		RW
1982	10/7/2016	Hardeep Rekhi	1.10	\$ 425.00	\$ 467.50	confer with co-counsel re trial witnesses, deposition designations and settlement issues		\$ 467.50		RW
1983	10/7/2016	Toby Marshall	2.20	\$ 475.00	\$ 1,045.00	Worked on outline of response to motion for continuance of trial and drafted email to co-counsel regarding same [3]; worked on trial preparations [1]; telephone conference with co-counsel regarding trial witnesses [5]; telephone conferences with co-counsel regarding deposition designations and settlement issues [6]; reviewed deposition transcripts for designation at trial [2]; worked on settlement negotiations [5].		\$ 1,045.00		TM
1984	10/8/2016	Toby Marshall	1.80	\$ 475.00	\$ 855.00	Researched and analyzed issues regarding admission of deposition testimony from other cases [1.8].		\$ 855.00		TM
1985	10/9/2016	Hardeep Rekhi	1.60	\$ 425.00	\$ 680.00	Review Deposition in prep for trial		\$ 680.00		RW
1986	10/9/2016	Toby Marshall	5.10	\$ 475.00	\$ 2,422.50	Drafted memorandum regarding admission of deposition transcripts from other cases [1.0]; reviewed expert report of Ms. Kwon and analyzed issues regarding same [2.3]; worked on pretrial statement [5]; worked on outline of motions in limine [1.3].		\$ 2,422.50		TM
1987	10/10/2016	Greg Wolk	6.90	\$ 425.00	\$ 2,932.50	draft opp to mtn to continue trial date (2.5); analyze expert report & depo designations (1.8); confer re settlement (.3); spoke w witnesses (1.1); confer with co-counsel re Knight's expert report, settlement strategy, and trial strategy (1.2)		\$ 2,932.50		RW
1988	10/10/2016	Hardeep Rekhi	1.30	\$ 425.00	\$ 552.50	Trial prep; review email correspondence; call potential trial witnesses		\$ 552.50		RW
1989	10/10/2016	Hardeep Rekhi	1.20	\$ 425.00	\$ 510.00	confer with co-counsel re Knight's expert report, settlement strategy, and trial strategy (1.2)		\$ 510.00		RW
1990	10/10/2016	Eden Nordby	3.60	\$ 150.00	\$ 540.00	Worked on Plaintiffs' deposition designations [2.5]; left message for class member regarding [redacted] [1]; researched local rules regarding trial subpoenas; email correspondence regarding same [1].		\$ 540.00		TM
1991	10/10/2016	Erika Nusser	7.20	\$ 350.00	\$ 2,520.00	Worked on Plaintiffs' Pretrial Statement [6]; telephone conference regarding settlement and case strategy issues [1.2]		\$ 2,520.00		TM
1992	10/10/2016	Hannelore Ohaus	0.20	\$ 75.00	\$ 15.00	Worked on docketing.	0.20	\$ -	Administrative	TM
1993	10/10/2016	Holly Rota	0.20	\$ 100.00	\$ 20.00	Updated master caption and related contacts.		\$ 20.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 71
CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
1994	10/10/2016	Toby Marshall	4.40	\$ 475.00	\$ 2,090.00	Worked on settlement negotiations and email correspondence with co-counsel regarding same [2]; worked on trial strategy issues and email correspondence with co-counsel regarding same [2]; worked on analysis of damages calculations by Knight's expert and email correspondence with co-counsel regarding same and expert discovery [2]; worked on outline of motions in limine [8]; email correspondence with opposing counsel regarding settlement [1]; analyzed issues regarding pretrial statement [2]; worked on analysis of exhibits for trial [7]; telephone conference with co-counsel regarding Knight's expert report, settlement strategy, and trial strategy [1.2]; worked on pretrial statement [8].		\$ 2,090.00		TM
1995	10/11/2016	Greg Wolk	4.30	\$ 425.00	\$ 1,827.50	draft opp to mtn to continue (3); review draft pretrial statement (1.3); confer with co-counsel re pretrial statement (.2)		\$ 1,827.50		RW
1996	10/11/2016	Hardeep Rekhi	1.80	\$ 425.00	\$ 765.00	Case research re continuance		\$ 765.00		RW
1997	10/11/2016	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Review Pretrial statement; trial prep		\$ 340.00		RW
1998	10/11/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Review Quast Testimony; email correspondence re same		\$ 127.50		RW
1999	10/11/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Email correspondence re discovery supplement		\$ 42.50		RW
2000	10/11/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re pretrial statement (.2)		\$ 85.00		RW
2001	10/11/2016	Eden Nordby	4.00	\$ 150.00	\$ 600.00	Worked on trial deposition designations; worked on trial exhibit list; worked on trial exhibits; finalized pretrial statement; served same on opposing counsel.		\$ 600.00		TM
2002	10/11/2016	Erika Nusser	9.90	\$ 350.00	\$ 3,465.00	Analyzed documents, worked on pretrial order and deposition and discovery designations, and finalized the same for filing [9.9]		\$ 3,465.00		TM
2003	10/11/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
2004	10/11/2016	Toby Marshall	5.80	\$ 475.00	\$ 2,755.00	Worked on pretrial statement [2.1]; telephone conference with co-counsel regarding same [2]; worked on trial exhibits [5]; researched and analyzed issues regarding knowing submission defense to liability under RCW 49.52.070 [5]; prepared for call with opposing counsel regarding settlement [1.1]; telephone conference with opposing counsel regarding settlement negotiations [3]; worked on request to Knight for supplementation of specific discovery responses [5]; worked on deposition designations [1.6].		\$ 2,755.00		TM
2005	10/12/2016	Greg Wolk	2.20	\$ 425.00	\$ 935.00	finalize response to opp to continue trial date (2); confer with co-counsel re negotiations (.2)		\$ 935.00		RW
2006	10/12/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Draft response to motion to continue		\$ 42.50		RW
2007	10/12/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re negotiations (.2)		\$ 85.00		RW
2008	10/12/2016	Erika Nusser	1.20	\$ 350.00	\$ 420.00	Analyzed and revised response to motion to stay case [1.2].		\$ 420.00		TM
2009	10/12/2016	Toby Marshall	1.80	\$ 475.00	\$ 855.00	Worked on response to motion for continuance of trial date [6]; telephone call from co-counsel regarding same [3]; telephone conference with Dr. Munson regarding issues with damages calculations by Knight's expert [6]; telephone conference with co-counsel regarding same and settlement negotiations [2]; worked on settlement negotiations [1].		\$ 855.00		TM
2010	10/13/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review issue re per diem claim; email correspondence re the same		\$ 85.00		RW
2011	10/13/2016	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Emails regarding factual and legal issues relating to written authorizations for per diem deduction [4].		\$ 140.00		TM
2012	10/13/2016	Toby Marshall	2.30	\$ 475.00	\$ 1,092.50	Telephone call from opposing counsel regarding settlement negotiations [4]; email to opposing counsel regarding same [1]; worked on motions in limine [1.8].		\$ 1,092.50		TM
2013	10/14/2016	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re settlement issues		\$ 42.50		RW
2014	10/14/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re settlement issues		\$ 42.50		RW
2015	10/14/2016	Eric Nusser	0.20	\$ 150.00	\$ 30.00	Email correspondence regarding motions in limine [2].		\$ 30.00		TM
2016	10/14/2016	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Worked on motions in limine [7]; telephone conference with co-counsel regarding settlement issues [1].		\$ 380.00		TM
2017	10/17/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Review Email correspondence related to trial prep and MIL; follow up on the same		\$ 127.50		RW
2018	10/17/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review Reply related to Motion to Continue		\$ 85.00		RW
2019	10/17/2016	Erika Nusser	2.80	\$ 350.00	\$ 980.00	Conferences regarding motions in limine [8]; worked on motions in limined [1.7]; analyzed reply to motion to continue and emails regarding the same [3].		\$ 980.00		TM
2020	10/17/2016	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Prepared for telephone conference with opposing counsel regarding motions in limine [2]; telephone conference with opposing counsel regarding motions in limine [1.2]; analyzed issues regarding same [1]; reviewed reply in support of motion for continuance of trial date [2].		\$ 807.50		TM
2021	10/18/2016	Greg Wolk	2.00	\$ 425.00	\$ 850.00	analyze mtns to limine (1); confer with co-counsel re motions in limine (1)		\$ 850.00		RW
2022	10/18/2016	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Telephone call regarding MIL; Draft the same		\$ 425.00		RW
2023	10/18/2016	Hardeep Rekhi	0.70	\$ 425.00	\$ 297.50	Review stipulation and issues related to MIL		\$ 297.50		RW
2024	10/18/2016	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	Meeting re MIL		\$ 255.00		RW
2025	10/18/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Review issues related to MIL		\$ 85.00		RW
2026	10/18/2016	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	confer with co-counsel re motions in limine (1)		\$ 425.00		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 72
CASE NO. 2:12-CV-00904-RSL

1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
2027	10/18/2016	Eric Nusser	8.40	\$ 150.00	\$ 1,260.00	Drafted motions in limine [8.4].		\$ 1,260.00		TM
2028	10/18/2016	Erika Nusser	4.10	\$ 350.00	\$ 1,435.00	Conference and outline regarding motion in limine to exclude other cases [1.2]; analyzed stipulation on motions in limine [2]; worked on motions in limine [2.3]; telephone conference regarding motions in limine [4].		\$ 1,435.00		TM
2029	10/18/2016	Holly Rota	0.30	\$ 100.00	\$ 30.00	Worked on stipulation regarding motions in limine and proposed order regarding motions in limine.		\$ 30.00		TM
2030	10/18/2016	Toby Marshall	3.90	\$ 475.00	\$ 1,852.50	Prepared for telephone conference with co-counsel regarding motions in limine [1.1]; telephone conference with co-counsel regarding motions in limine [1.0]; worked on stipulations regarding motions in limine [1.7]; drafted email to opposing counsel regarding same [1.1]; worked on plaintiffs' motions in limine [1.0].		\$ 1,852.50		TM
2031	10/19/2016	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re stipulations on motions in limine		\$ 42.50		RW
2032	10/19/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Review issues relate to trial prep, MIL, email correspondence re the same		\$ 127.50		RW
2033	10/19/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re stipulations on motions in limine		\$ 42.50		RW
2034	10/19/2016	Erika Nusser	6.60	\$ 350.00	\$ 2,310.00	Worked on motions in limine [6.6].		\$ 2,310.00		TM
2035	10/19/2016	Holly Rota	1.00	\$ 100.00	\$ 100.00	Worked on plaintiffs' motions in limine, declaration of Mr. Marshall in support of motion and proposed order.		\$ 100.00		TM
2036	10/19/2016	Toby Marshall	5.80	\$ 475.00	\$ 2,755.00	Worked on motions in limine [4.9]; telephone conferences with co-counsel regarding same [4]; telephone conference with opposing counsel regarding stipulations on motions in limine [1.1]; analyzed issues regarding same [3]; email to opposing counsel regarding same [1.1].		\$ 2,755.00		TM
2037	10/20/2016	Bradford Kinsey	2.30	\$ 100.00	\$ 230.00	Reviewed, revised and finalized Plaintiffs' motions in limine; finalized Marshall declaration and proposed order; assembled exhibits; arranged filing and service.		\$ 230.00		TM
2038	10/20/2016	Eden Nordby	5.00	\$ 150.00	\$ 750.00	Worked on motions in limine; worked on declaration and exhibits in support of motions in limine.		\$ 750.00		TM
2039	10/20/2016	Erika Nusser	9.60	\$ 350.00	\$ 3,360.00	Worked on motions in limine, supporting documents and proposed order, and finalized the same for filing [9.6]		\$ 3,360.00		TM
2040	10/20/2016	Holly Rota	1.20	\$ 100.00	\$ 120.00	Worked on plaintiffs' motions in limine.		\$ 120.00		TM
2041	10/20/2016	Jennifer Boschen	1.20	\$ 150.00	\$ 180.00	Telephone and conferences regarding exhibits to motions in limine; prepared exhibits to motions in limine.		\$ 180.00		TM
2042	10/20/2016	Toby Marshall	5.10	\$ 475.00	\$ 2,422.50	Worked on motions in limine and researched and analyzed issues regarding same [5.1].		\$ 2,422.50		TM
2043	10/21/2016	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Order denying motion for stay [2].		\$ 70.00		TM
2044	10/21/2016	Holly Rota	0.50	\$ 100.00	\$ 50.00	Printed and mailed Judges' working copies of plaintiffs' motions in limine, declaration of Mr. Marshall in support of motion and proposed order.		\$ 50.00		TM
2045	10/22/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on case management issues [2].		\$ 95.00		TM
2046	10/23/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Email re Meeting of Attorneys		\$ 85.00		RW
2047	10/23/2016	Eden Nordby	1.10	\$ 150.00	\$ 165.00	Worked on plaintiffs' trial exhibits.		\$ 165.00		TM
2048	10/24/2016	Greg Wolk	3.00	\$ 425.00	\$ 1,275.00	prepare for pre-trial statement meeting (2.4); review Knight's reply to mtn to continue (.6)		\$ 1,275.00		RW
2049	10/24/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Email to court; follow up re same		\$ 85.00		RW
2050	10/24/2016	Eden Nordby	1.00	\$ 150.00	\$ 150.00	Worked on trial exhibits.		\$ 150.00		TM
2051	10/24/2016	Erika Nusser	1.80	\$ 350.00	\$ 630.00	Analyzed Defendant's pretrial statement and proposed exhibits and emails regarding the same [1.3]; telephone conference regarding pretrial issues [5].		\$ 630.00		TM
2052	10/24/2016	Hannelore Ohaus	0.30	\$ 75.00	\$ 22.50	Worked on docketing.	0.30	\$ -	Administrative	TM
2053	10/24/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
2054	10/24/2016	Toby Marshall	3.80	\$ 475.00	\$ 1,805.00	Prepared for pretrial conference of attorneys [9]; traveled to, participated in, and returned from pretrial conference of attorneys [2.7]; worked on trial preparation issues [2].		\$ 1,805.00		TM
2055	10/25/2016	Greg Wolk	1.60	\$ 425.00	\$ 680.00	research willfulness and defenses		\$ 680.00		RW
2056	10/25/2016	Toby Marshall	3.40	\$ 475.00	\$ 1,615.00	Researched and analyzed issues regarding bona fide dispute defense to violations of RCW 49.52.050(2) [8]; reviewed discovery responses in relation to same [4]; drafted memorandum to co-counsel regarding same [2]; telephone call from Dr. Abbott regarding trial scheduling issues [1.1]; worked on trial exhibit issues [5]; worked on pretrial order [1.0]; worked on trial strategy issues [4].		\$ 1,615.00		TM
2057	10/26/2016	Greg Wolk	1.40	\$ 425.00	\$ 595.00	revise pretrial order [4]; MIL responses [4]; confer with co-counsel re Knight's motions in limine and plan for responding to same (.6)		\$ 595.00		RW
2058	10/26/2016	Hardeep Rekhi	0.80	\$ 425.00	\$ 340.00	Review D's MIL		\$ 340.00		RW
2059	10/26/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Trial prep		\$ 85.00		RW
2060	10/26/2016	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	confer with co-counsel re Knight's motions in limine and plan for responding to same		\$ 255.00		RW
2061	10/26/2016	Eden Nordby	0.60	\$ 150.00	\$ 90.00	Worked on trial exhibits [2]; email correspondence regarding deposition designations [1.1]; worked on document production management; updated production log [3].		\$ 90.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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AND REIMBURSEMENT OF LITIGATION COSTS - 73
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
2062	10/26/2016	Erika Nusser	0.70	\$ 350.00	\$ 245.00	Telephone conference and emails regarding response to Defendant's motions in limine and analyzed the same [.7].		\$ 245.00		TM
2063	10/26/2016	Toby Marshall	3.90	\$ 475.00	\$ 1,852.50	Worked on proposed pretrial order [.3]; email to co-counsel regarding same [.2]; email to opposing counsel regarding same [.2]; analyzed issues regarding exhibits [.2]; researched and analyzed issues regarding bona fide dispute exception to willfulness and worked on memorandum to co-counsel regarding same [.2.4]; telephone conference with co-counsel regarding Knight's motions in limine and plan for responding to same [.6].		\$ 1,852.50		TM
2064	10/27/2016	Greg Wolk	1.10	\$ 425.00	\$ 467.50	confer w co-counsel (.3); review pretrial order (.8)		\$ 467.50		RW
2065	10/27/2016	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	Review and email correspondence re PTO		\$ 170.00		RW
2066	10/27/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	confer w co-counsel (.3)		\$ 127.50		RW
2067	10/27/2016	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Finalized and filed proposed pretrial order.		\$ 60.00		TM
2068	10/27/2016	Erika Nusser	1.50	\$ 350.00	\$ 525.00	Telephone conference regarding pretrial order and trial preparation [.5]; emails regarding pretrial order and case strategy issues, and worked on the same [.1].		\$ 525.00		TM
2069	10/27/2016	Holly Rota	0.30	\$ 100.00	\$ 30.00	Worked on agreement regarding partial settlement of class claims.		\$ 30.00		TM
2070	10/27/2016	Toby Marshall	2.50	\$ 475.00	\$ 1,187.50	Worked on finalizing terms of partial settlement for signature [.1]; worked on finalizing stipulation and proposed order on agreed in limine issues [.1]; worked on pretrial order issues [.1]; telephone conference with co-counsel regarding same [.3]; telephone conference with opposing counsel regarding pretrial order and settlement [.6]; telephone conference with co-counsel regarding pretrial order [.1]; worked on revisions to pretrial order [.4]; researched and analyzed issues regarding bona fide dispute defense [.4]; email correspondence with opposing counsel regarding revisions to pretrial order [.2]; analyzed issues regarding same [.1]; worked on filing of same [.1].		\$ 1,187.50		TM
2071	10/28/2016	Greg Wolk	1.00	\$ 425.00	\$ 425.00	draft opp to Knight MIL 2		\$ 425.00		RW
2072	10/28/2016	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Emails regarding case strategy issues, and briefing on liability for rest break practices after summary judgment order [.5].		\$ 175.00		TM
2073	10/28/2016	Toby Marshall	2.00	\$ 475.00	\$ 950.00	Researched and analyzed issues regarding Knight's motions in limine [2.0].		\$ 950.00		TM
2074	10/30/2016	Toby Marshall	4.80	\$ 475.00	\$ 2,280.00	Researched and analyzed issues regarding Knight's motions in limine and worked on response to same [4.8].		\$ 2,280.00		TM
2075	10/31/2016	Greg Wolk	2.40	\$ 425.00	\$ 1,020.00	finalize draft opp MIL 2 (.4); analyze & revise draft opps to Knight MILs 1, 3-6 [2]		\$ 1,020.00		RW
2076	10/31/2016	Hardeep Rekhi	3.80	\$ 425.00	\$ 1,615.00	Review case law; Draft MIL; Review MIL; Trial prep		\$ 1,615.00		RW
2077	10/31/2016	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	Work on opposition to MIL		\$ 170.00		RW
2078	10/31/2016	Eden Nordby	1.20	\$ 150.00	\$ 180.00	Worked on trial subpoenas and acceptance of service regarding same.		\$ 180.00		TM
2079	10/31/2016	Erika Nusser	6.20	\$ 350.00	\$ 2,170.00	Worked on responses to Defendant's motions in limine [6.2].		\$ 2,170.00		TM
2080	10/31/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
2081	10/31/2016	Toby Marshall	9.30	\$ 475.00	\$ 4,417.50	Worked on opposition to Knight's motions in limine and researched and analyzed issues regarding same [9.2]; analyzed issues regarding deadline for jury instructions and email correspondence with opposing counsel regarding same [.1].		\$ 4,417.50		TM
2082	11/1/2016	Greg Wolk	0.70	\$ 425.00	\$ 297.50	review MIL responses		\$ 297.50		RW
2083	11/1/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Discuss MIL		\$ 42.50		RW
2084	11/1/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Discuss MIL		\$ 42.50		RW
2085	11/1/2016	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Finalized trial subpoenas.		\$ 60.00		TM
2086	11/1/2016	Erika Nusser	0.40	\$ 350.00	\$ 140.00	Emails regarding stipulation on agreed motions in limine [.2]; conference and emails regarding trial subpoenas [.2].		\$ 140.00		TM
2087	11/1/2016	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Reviewed Knight's opposition to plaintiffs' motions in limine and analyzed issues regarding same [.3]; worked on subpoenas for Quest and Jenkins [.1]; worked on stipulation regarding agreed in limine terms and email correspondence with co-counsel regarding same [.2]; telephone conference with Mr. Head regarding expert testimony [.2].		\$ 380.00		TM
2088	11/2/2016	Greg Wolk	1.40	\$ 425.00	\$ 595.00	analyze & respond to objections to dep designations (.8); object to Knight's dep designations (.6)		\$ 595.00		RW
2089	11/2/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Trial prep		\$ 42.50		RW
2090	11/2/2016	Bradford Kinsey	1.20	\$ 100.00	\$ 120.00	Prepared draft of Plaintiffs' proposed jury instructions and special verdict form.		\$ 120.00		TM
2091	11/2/2016	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Conference and emails regarding trial strategy issues [.3].		\$ 105.00		TM
2092	11/2/2016	Toby Marshall	6.40	\$ 475.00	\$ 3,040.00	Worked on jury instructions and researched and analyzed issues regarding same [6.4].		\$ 3,040.00		TM
2093	11/3/2016	Greg Wolk	1.10	\$ 425.00	\$ 467.50	analyze jury instructions & verdict form (.8); confer with co-counsel re jury instructions (.3)		\$ 467.50		RW
2094	11/3/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	confer with co-counsel re jury instructions (.3)		\$ 127.50		RW
2095	11/3/2016	Bradford Kinsey	0.60	\$ 100.00	\$ 60.00	Prepared draft of trial brief; reviewed and revised Plaintiffs' proposed jury instructions.		\$ 60.00		TM
2096	11/3/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on file organization.		\$ 30.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 74
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
2097	11/3/2016	Erika Nusser	3.20	\$ 350.00	\$ 1,120.00	Analyzed proposed jury instructions and worked on proposed verdict form, and emails regarding the same [3.2]		\$ 1,120.00		TM
2098	11/3/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
2099	11/3/2016	Toby Marshall	5.10	\$ 475.00	\$ 2,422.50	Worked on jury instructions and researched and analyzed issues regarding same [3.7]; telephone conference with co-counsel regarding same [3]; worked on jury verdict form [1.1].		\$ 2,422.50		TM
2100	11/4/2016	Erika Nusser	5.00	\$ 350.00	\$ 1,750.00	Worked on brief regarding liability for rest break practices after summary judgment order [5]		\$ 1,750.00		TM
2101	11/4/2016	Hannelore Ohaus	0.10	\$ 75.00	\$ 7.50	Worked on docketing.	0.10	\$ -	Administrative	TM
2102	11/4/2016	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Outlined plan for briefing Knight's liability for rest break practices from July to December 2016 [2.2]; worked on revisions to jury instructions [1].		\$ 142.50		TM
2103	11/6/2016	Erika Nusser	2.20	\$ 350.00	\$ 770.00	Worked on brief regarding liability for rest break practices after summary judgment order [2.2]		\$ 770.00		TM
2104	11/7/2016	Greg Wolk	0.60	\$ 425.00	\$ 255.00	analyze settlement offer and confer w co-counsel		\$ 255.00		RW
2105	11/7/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	work on Settlement of Claims		\$ 85.00		RW
2106	11/7/2016	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	analyze settlement offer and confer w co-counsel		\$ 255.00		RW
2107	11/7/2016	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Left message for class member regarding [redacted].		\$ 15.00		TM
2108	11/7/2016	Erika Nusser	7.50	\$ 350.00	\$ 2,625.00	Worked on brief regarding liability for rest break practices after summary judgment order [4.9]; worked on proposed CR2 agreement [5]; telephone conferences and emails regarding settlement issues [2.1].		\$ 2,625.00		TM
2109	11/7/2016	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Analyzed issues regarding Knight's settlement offer [4]; telephone conferences with co-counsel regarding same [8].		\$ 570.00		TM
2110	11/8/2016	Greg Wolk	0.60	\$ 425.00	\$ 255.00	confer with co-counsel re settlement issues		\$ 255.00		RW
2111	11/8/2016	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Draft Settlement; discussion and strategize re the same		\$ 425.00		RW
2112	11/8/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Email correspondence re settlement		\$ 42.50		RW
2113	11/8/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Review and discuss settlement issues		\$ 42.50		RW
2114	11/8/2016	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	confer with co-counsel re settlement issues		\$ 255.00		RW
2115	11/8/2016	Erika Nusser	6.30	\$ 350.00	\$ 2,205.00	Telephone conferences and emails regarding settlement issues, and worked on revisions to proposed settlement [3.7]; worked on revisions to motion relating to liability for rest break practices after summary order, and supporting documents [1.5]; worked on stipulation to stay case and emails regarding the same [4]; worked on trial brief [7].		\$ 2,205.00		TM
2116	11/8/2016	Toby Marshall	2.60	\$ 475.00	\$ 1,235.00	Worked on draft settlement agreement regarding rest break and per diem claims and analyzed issues regarding same [5]; reviewed defendant's settlement terms proposal and analyzed issues regarding same [2]; worked on brief regarding Knight's liability on rest breaks from July to December 2016 [1.0]; telephone conference with co-counsel regarding settlement issues [6]; worked on additional revisions to settlement agreement [3].		\$ 1,235.00		TM
2117	11/9/2016	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re settlement agreement		\$ 85.00		RW
2118	11/9/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	Review, revise draft proposed stipulation		\$ 42.50		RW
2119	11/9/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re settlement agreement		\$ 85.00		RW
2120	11/9/2016	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Worked on terms of settlement; forwarded same to co-counsel and opposing counsel.		\$ 60.00		TM
2121	11/9/2016	Erika Nusser	0.70	\$ 350.00	\$ 245.00	Analyzed proposed CR2 agreement and emails regarding the same [7].		\$ 245.00		TM
2122	11/9/2016	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Telephone conferences with co-counsel regarding settlement agreement [a]; analyzed issues regarding same [2]; worked on revisions to and execution of same [2].		\$ 190.00		TM
2123	11/11/2016	Greg Wolk	1.80	\$ 425.00	\$ 765.00	call clients and class members		\$ 765.00		RW
2124	11/13/2016	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Emails to Mr. Head, Dr. Abbott, and Dr. Munson regarding settlement of case [1.1]; worked on outline of next steps [2].		\$ 142.50		TM
2125	11/14/2016	Greg Wolk	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re next steps		\$ 85.00		RW
2126	11/14/2016	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	Review issues related to Denham Act and FAAAA amendment		\$ 127.50		RW
2127	11/14/2016	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	review documents related to settlement; discuss next steps		\$ 42.50		RW
2128	11/14/2016	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	confer with co-counsel re next steps		\$ 85.00		RW
2129	11/14/2016	Hannelore Ohaus	0.40	\$ 75.00	\$ 30.00	Worked on docketing.	0.40	\$ -	Administrative	TM
2130	11/14/2016	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Telephone conferences with co-counsel regarding post-settlement work to be done [2]; analyzed issues regarding same [1]; telephone conference with opposing counsel regarding drafting of full settlement agreement [1].		\$ 190.00		TM
2131	11/15/2016	Hardeep Rekhi	2.30	\$ 425.00	\$ 977.50	Research regarding legislative issues		\$ 977.50		RW
2132	11/16/2016	Greg Wolk	0.40	\$ 425.00	\$ 170.00	call drivers		\$ 170.00		RW
2133	11/16/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Email correspondence regarding class list updating for settlement notice.		\$ 30.00		TM
2134	11/17/2016	Hardeep Rekhi	1.00	\$ 425.00	\$ 425.00	Review case law related to motion to continue		\$ 425.00		RW
2135	11/17/2016	Eden Nordby	0.40	\$ 150.00	\$ 60.00	Worked on spreadsheet for class member address updates.		\$ 60.00		TM
2136	11/17/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Telephone call from Dr. Abbott regarding status of trial [1].		\$ 47.50		TM
2137	11/27/2016	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding fee multipliers and worked on game plan for researching same [3].		\$ 142.50		TM
2138	11/28/2016	Eric Nusser	0.40	\$ 150.00	\$ 60.00	Evaluated research project regarding lodestar fee multipliers [4].		\$ 60.00		TM
2139	11/29/2016	Eric Nusser	0.40	\$ 150.00	\$ 60.00	Researched and analyzed issues regarding fee multipliers.		\$ 60.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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AND REIMBURSEMENT OF LITIGATION COSTS - 75
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
2140	11/30/2016	Eric Nusser	4.50	\$ 150.00	\$ 675.00	Legal research regarding lodestar fee multipliers [4.5].		\$ 675.00		TM
2141	12/1/2016	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Updated class member contact information.		\$ 30.00		TM
2142	12/5/2016	Eric Nusser	1.10	\$ 150.00	\$ 165.00	Legal research and drafted memo regarding lodestar fee multipliers [1.1].		\$ 165.00		TM
2143	12/5/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding status of settlement agreement [1.1].		\$ 47.50		TM
2144	12/6/2016	Eric Nusser	2.60	\$ 150.00	\$ 390.00	Legal research and drafted memo regarding lodestar fee multipliers [2.6].		\$ 390.00		TM
2145	12/7/2016	Eric Nusser	7.10	\$ 150.00	\$ 1,065.00	Legal research regarding lodestar fee multipliers [4.1]; drafted memo regarding lodestar fee multipliers [3].	3.00	\$ 615.00	Efficiency	TM
2146	12/8/2016	Eric Nusser	9.50	\$ 150.00	\$ 1,425.00	Legal research regarding lodestar fee multipliers [3.4]; drafted and edited memo regarding lodestar fee multipliers [6.1].	6.00	\$ 525.00	Efficiency	TM
2147	12/14/2016	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Reviewed Knight's draft of the settlement agreement and analyzed issues regarding same [5.].		\$ 237.50		TM
2148	12/15/2016	Greg Wolk	1.50	\$ 425.00	\$ 637.50	analyze and revise draft settlement agreement; confer w clients re status		\$ 637.50		RW
2149	12/15/2016	Hardeep Rekhi	1.90	\$ 425.00	\$ 807.50	Settlement analysis		\$ 807.50		RW
2150	12/20/2016	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on settlement agreement and email correspondence with co-counsel regarding same [2.].		\$ 95.00		TM
2151	12/21/2016	Hardeep Rekhi	1.30	\$ 425.00	\$ 552.50	Correspondence with co-counsel re class issues		\$ 552.50		RW
2152	12/22/2016	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding status of settlement agreement [1.].		\$ 47.50		TM
2153	12/30/2016	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Worked on draft settlement agreement [9.].		\$ 427.50		TM
2154	1/11/2017	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Updated class member contact information in class list.		\$ 30.00		TM
2155	1/12/2017	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w co-counsel re next steps		\$ 127.50		RW
2156	1/12/2017	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Meeting		\$ 85.00		RW
2157	1/12/2017	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	Meeting		\$ 85.00		RW
2158	1/12/2017	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	confer w co-counsel re next steps		\$ 127.50		RW
2159	1/12/2017	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Telephone conference with co-counsel regarding strategy for reviewing details of time records, filing motion for award of fees and costs, and filing for preliminary approval [4.].	0.10	\$ 142.50	Administrative	TM
2160	1/13/2017	Hardeep Rekhi	8.30	\$ 425.00	\$ 3,527.50	review settlement issues; email correspondence re the same		\$ 3,527.50		RW
2161	1/18/2017	Hardeep Rekhi	0.90	\$ 425.00	\$ 382.50	ER 408 issues		\$ 382.50		RW
2162	1/19/2017	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Email correspondence regarding class representative.		\$ 15.00		TM
2163	1/19/2017	Eden Nordby	0.10	\$ 150.00	\$ 15.00	Email correspondence regarding class representative.		\$ 15.00		TM
2164	1/19/2017	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Telephone call from Mr. Tena regarding settlement agreement and upcoming surgery [2.].		\$ 95.00		TM
2165	1/23/2017	Hardeep Rekhi	0.60	\$ 425.00	\$ 255.00	ER 408 Discussions		\$ 255.00		RW
2166	1/23/2017	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Worked on compiling and coordinating detailed fees and costs reports [2.]; email correspondence with co-counsel regarding same [1.]; worked on draft settlement agreement and drafted memorandum to co-counsel regarding same [8.].	0.30	\$ 380.00	Administrative	TM
2167	1/24/2017	Greg Wolk	0.50	\$ 425.00	\$ 212.50	analyze draft settlement agreement (.4); confer with co-counsel re attempting to settle dispute over attorneys' fees and costs (.1)		\$ 212.50		RW
2168	1/24/2017	Hardeep Rekhi	0.30	\$ 425.00	\$ 127.50	ER 408 Discussions		\$ 127.50		RW
2169	1/24/2017	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re attempting to settle dispute over attorneys' fees and costs		\$ 42.50		RW
2170	1/24/2017	Toby Marshall	0.90	\$ 475.00	\$ 427.50	Email correspondence with co-counsel regarding strategy for attempting to settle dispute over attorneys' fees and costs [1.]; telephone conference with co-counsel regarding same [4.]; drafted email to opposing counsel regarding fees and costs [1.]; telephone call from co-counsel regarding settlement agreement [1.]; worked on same [2.].		\$ 427.50		TM
2171	1/25/2017	Greg Wolk	3.40	\$ 425.00	\$ 1,445.00	draft settlement agreement		\$ 1,445.00		RW
2172	1/30/2017	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer w class member re settlement		\$ 170.00		RW
2173	1/31/2017	Greg Wolk	0.50	\$ 425.00	\$ 212.50	confer w class members re settlement		\$ 212.50		RW
2174	1/31/2017	Hardeep Rekhi	0.20	\$ 425.00	\$ 85.00	ER 408 Discussions		\$ 85.00		RW
2175	1/31/2017	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Prepared for telephone conference with opposing counsel regarding settlement negotiations for fees and costs [1.]; telephone conference with opposing counsel regarding same [1.]; email to co-counsel regarding same [1.].		\$ 142.50		TM
2176	2/1/2017	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w class member re settlement		\$ 127.50		RW
2177	2/2/2017	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Worked on revisions to final settlement agreement [1.0].		\$ 475.00		TM
2178	2/5/2017	Toby Marshall	4.10	\$ 475.00	\$ 1,947.50	Continued working on revisions to final settlement agreement [4.1].		\$ 1,947.50		TM
2179	2/6/2017	Toby Marshall	1.70	\$ 475.00	\$ 807.50	Worked on draft settlement agreement [1.7].		\$ 807.50		TM
2180	2/7/2017	Greg Wolk	1.40	\$ 425.00	\$ 595.00	analyze and revise settlement agreement (.6); confer w class member re settlement (.8)		\$ 595.00		RW
2181	2/8/2017	Greg Wolk	0.30	\$ 425.00	\$ 127.50	analyze revisions to settlement agreement		\$ 127.50		RW

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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AND REIMBURSEMENT OF LITIGATION COSTS - 76
CASE NO. 2:12-CV-00904-RSL

	A	B	C	D	E	F	G	H	I	J
1	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
2182	2/8/2017	Toby Marshall	1.10	\$ 475.00	\$ 522.50	Telephone call from Mr. Helde regarding status of settlement and left message with Mr. Tena regarding same [2]; worked on revisions to settlement agreement [5]; worked on damages issues [2]; email correspondence with co-counsel and opposing counsel regarding settlement agreement [2].		\$ 522.50		TM
2183	2/14/2017	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Analyzed issues regarding Knight's proposal on payment of fees and costs and email correspondence with co-counsel regarding same [8].		\$ 380.00		TM
2184	2/15/2017	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding settlement negotiations for fees and costs payment [1].		\$ 47.50		TM
2185	2/16/2017	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Emails regarding settlement issues [2].		\$ 70.00		TM
2186	2/16/2017	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with co-counsel and opposing counsel regarding settlement offer on fees and costs [1].		\$ 47.50		TM
2187	2/17/2017	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Researched and analyzed issues raised by Knight in its counteroffer on fees and costs [5]; drafted proposed response and circulated same to co-counsel [3].		\$ 380.00		TM
2188	2/21/2017	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Telephone conference regarding case strategy issues [2].		\$ 70.00		TM
2189	3/1/2017	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Updated class member contact information in tracking log.		\$ 30.00		TM
2190	3/3/2017	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Analyzed revisions to settlement agreement and emails regarding the same [3].		\$ 105.00		TM
2191	3/5/2017	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with opposing counsel regarding settlement agreement [2].		\$ 95.00		TM
2192	3/6/2017	Greg Wolk	0.30	\$ 425.00	\$ 127.50	analyze email from opposing counsel		\$ 127.50		RW
2193	3/6/2017	Toby Marshall	0.70	\$ 475.00	\$ 332.50	Email correspondence with opposing counsel regarding settlement agreement [1]; reviewed email from opposing counsel regarding Knight's most recent offer on fees and costs and analyzed issues regarding same [3]; email correspondence with co-counsel and opposing counsel regarding counteroffer on fees and costs [2]; email correspondence with court clerk regarding status of settlement and filing of motion for preliminary approval [1].		\$ 332.50		TM
2194	3/7/2017	Erika Nusser	1.20	\$ 350.00	\$ 420.00	Conference regarding discovery requests and continued to work on the same [1.2].		\$ 420.00		TM
2195	3/16/2017	Erika Nusser	7.30	\$ 350.00	\$ 2,555.00	Worked on motion for preliminary approval of class action settlement [7.3].		\$ 2,555.00		TM
2196	3/16/2017	Holly Rota	0.60	\$ 100.00	\$ 60.00	Worked on plaintiffs' motion for preliminary approval of class action settlement, declaration of Mr. Marshall in support of motion and proposed order.		\$ 60.00		TM
2197	3/17/2017	Greg Wolk	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re form of settlement notice		\$ 42.50		RW
2198	3/17/2017	Hardeep Rekhi	0.10	\$ 425.00	\$ 42.50	confer with co-counsel re form of settlement notice		\$ 42.50		RW
2199	3/17/2017	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Email correspondence with co-counsel regarding notice form and with opposing counsel regarding settlement negotiations [1]; telephone call from co-counsel regarding form of settlement notice [1]; worked on proposed counteroffer on fees and costs and email correspondence with co-counsel regarding same [2].		\$ 190.00		TM
2200	3/20/2017	Greg Wolk	0.30	\$ 425.00	\$ 127.50	confer w class member re settlement		\$ 127.50		RW
2201	3/20/2017	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with co-counsel and opposing counsel regarding plaintiffs' counteroffer on fees and costs [1].		\$ 47.50		TM
2202	3/21/2017	Erika Nusser	4.00	\$ 350.00	\$ 1,400.00	Continued working on motion for preliminary approval of class action settlement [4].		\$ 1,400.00		TM
2203	3/24/2017	Erika Nusser	0.80	\$ 350.00	\$ 280.00	Worked on revisions to settlement notice and emails regarding the same [8].		\$ 280.00		TM
2204	3/24/2017	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Worked on form of settlement notice [6].		\$ 285.00		TM
2205	3/27/2017	Erika Nusser	6.80	\$ 350.00	\$ 2,380.00	Continued working on motion for preliminary approval of class action settlement [6.8].		\$ 2,380.00		TM
2206	3/28/2017	Erika Nusser	3.50	\$ 350.00	\$ 1,225.00	Emails and voicemails to clients regarding final settlement agreement [5]; continued working on motion for preliminary approval of class action settlement [3].		\$ 1,225.00		TM
2207	3/28/2017	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding issues finalizing settlement agreement and filing motion for preliminary approval [1].		\$ 47.50		TM
2208	4/3/2017	Erika Nusser	0.20	\$ 350.00	\$ 70.00	Worked on settlement issues [2].		\$ 70.00		TM
2209	4/3/2017	Holly Rota	0.30	\$ 100.00	\$ 30.00	Worked on and finalized settlement agreement.		\$ 30.00		TM
2210	4/3/2017	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Email correspondence with opposing counsel regarding status of settlement negotiations on fees and costs and Knight's signature on settlement agreement [1].		\$ 47.50		TM
2211	4/5/2017	Greg Wolk	0.50	\$ 425.00	\$ 212.50	analyze fees and settlement offer re same		\$ 212.50		RW
2212	4/5/2017	Erika Nusser	0.50	\$ 350.00	\$ 175.00	Telephone conference regarding settlement issues [5].		\$ 175.00		TM
2213	4/5/2017	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Analyzed issues regarding settlement negotiations [2]; telephone and personal conference with co-counsel regarding same [3]; drafted email to opposing counsel regarding final offer on fees and costs [3].		\$ 380.00		TM
2214	4/12/2017	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Worked on plan for filing motion for determination of reasonable fees and costs [2].		\$ 95.00		TM

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
2215	4/13/2017	Greg Wolk	0.40	\$ 425.00	\$ 170.00	confer w co-counsel re fees motion and review same		\$ 170.00		RW
2216	4/13/2017	Hardeep Rekhi	0.40	\$ 425.00	\$ 170.00	confer with co-counsel re determination of fees and costs and drafted memo re same		\$ 170.00		RW
2217	4/13/2017	Amanda Steiner	0.20	\$ 495.00	\$ 99.00	Strategy conference regarding motion for attorneys' fees and costs [.2].		\$ 99.00		TM
2218	4/13/2017	Toby Marshall	1.00	\$ 475.00	\$ 475.00	Worked on plan for moving for determination of fees and costs and drafted memorandum regarding same [.6]; telephone conferences with co-counsel regarding same [.4].		\$ 475.00		TM
2219	4/14/2017	Holly Rota	0.50	\$ 100.00	\$ 50.00	Worked on plaintiffs' motion for attorneys' fees and costs, declaration of Mr. Marshall in support of motion and proposed order.		\$ 50.00		TM
2220	4/16/2017	Greg Wolk	0.70	\$ 425.00	\$ 297.50	worked on review of time entries to submit to court re approval of fees		\$ 297.50		RW
2221	4/16/2017	Toby Marshall	0.80	\$ 475.00	\$ 380.00	Worked on review of time entries to be submitted in support of motion for determination of reasonable fees and costs award [.8].		\$ 380.00		TM
2222	4/17/2017	Amanda Steiner	2.80	\$ 495.00	\$ 1,386.00	Reviewed background materials [.6]; worked on motion for attorneys' fees and costs [.2].		\$ 1,386.00		TM
2223	4/17/2017	Toby Marshall	0.10	\$ 475.00	\$ 47.50	Analyzed issues regarding efforts to contact Mr. Tena and worked on plan to locate family members [.1].		\$ 47.50		TM
2224	4/18/2017	Eden Nordby	1.00	\$ 150.00	\$ 150.00	Worked on research regarding contact information for Mr. Tena; left messages for Mr. Tena and family members.		\$ 150.00		TM
2225	4/19/2017	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Email correspondence with Mr. Zabriskie regarding settlement administration issues [.1]; worked on issues regarding same [.1].		\$ 95.00		TM
2226	4/20/2017	Amanda Steiner	5.60	\$ 495.00	\$ 2,772.00	Worked on motion for attorneys fees and costs, related research [.5.6].		\$ 2,772.00		TM
2227	4/20/2017	Toby Marshall	0.50	\$ 475.00	\$ 237.50	Worked on plan for obtaining declarations in support of motion for fees and costs and email correspondence with co-counsel regarding same [.3]; worked on review of detailed fee entries for submission with motion for award of fees and costs and email correspondence with co-counsel regarding same [.2].	0.20	\$ 142.50	Administrative	TM
2228	4/21/2017	Greg Wolk	1.00	\$ 425.00	\$ 425.00	drafted supporting declarations for approval of fees; confer w co-counsel re same		\$ 425.00		RW
2229	4/21/2017	Eden Nordby	0.50	\$ 150.00	\$ 75.00	Researched contact information for and left messages with possible family members of Mr. Tena.		\$ 75.00		TM
2230	4/21/2017	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Telephone conference and email correspondence with Mr. Zabriskie regarding settlement administration issues [.3]; worked on same [.1]; worked on fee petition issues [.1]; analyzed issues regarding status of Mr. Tena [.1].		\$ 285.00		TM
2231	4/22/2017	Toby Marshall	0.40	\$ 475.00	\$ 190.00	Telephone conference with opposing counsel regarding settlement negotiations and email correspondence with co-counsel regarding same [.2]; worked on plan for fee petition [.2].		\$ 190.00		TM
2232	4/24/2017	Amanda Steiner	7.90	\$ 495.00	\$ 3,910.50	Worked on motion for attorneys fees and costs, related research and factual analysis [.7.6]; email with team regarding deadlines and procedural issues [.3].		\$ 3,910.50		TM
2233	4/24/2017	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Analyzed issues regarding efforts to locate Mr. Tena and his relatives [.1]; analyzed issues regarding Mr. Tena's health status and impact on ability to sign settlement agreement [.1]; worked on issues regarding motion for preliminary approval [.1].		\$ 142.50		TM
2234	4/25/2017	Greg Wolk	0.80	\$ 425.00	\$ 340.00	revise supporting declarations for approval of fees		\$ 340.00		RW
2235	4/26/2017	Toby Marshall	0.20	\$ 475.00	\$ 95.00	Analyzed issues regarding motion for preliminary approval [.2].		\$ 95.00		TM
2236	4/27/2017	Toby Marshall	1.20	\$ 475.00	\$ 570.00	Worked on motion for preliminary approval [.2].		\$ 570.00		TM
2237	4/28/2017	Eden Nordby	0.50	\$ 150.00	\$ 75.00	Worked on exhibits in support of motion for preliminary approval of settlement [.3]; email correspondence regarding settlement website; searched for available domain names for same [.2].		\$ 75.00		TM
2238	4/28/2017	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Worked on motion for preliminary approval and supporting declaration [.3].		\$ 142.50		TM
2239	4/30/2017	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Worked on motion for preliminary approval and declaration in support of same [.3].		\$ 142.50		TM
2240	4/30/2017	Toby Marshall	0.30	\$ 475.00	\$ 142.50	Worked on motion for preliminary approval and declaration in support of same [.3].		\$ 142.50		TM
2241	5/1/2017	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on exhibits in support of motion for preliminary approval of settlement.		\$ 30.00		TM
2242	5/1/2017	Erika Nusser	0.30	\$ 350.00	\$ 105.00	Finalized motion for preliminary approval and supporting documents for filing [.3].		\$ 105.00		TM
2243	5/1/2017	Toby Marshall	0.60	\$ 475.00	\$ 285.00	Email correspondence with co-counsel regarding action items for motion on fees and costs [.1]; worked on draft of supporting declaration from Mr. Berger [.5].		\$ 285.00		TM
2244	5/1/2017	Bradford Kinsey	1.10	\$ 100.00	\$ 110.00	Reviewed, revised and finalized motion for preliminary approval; reviewed and finalized Marshall and Tena declarations; assemble Marshall declaration exhibit; finalized proposed order; arranged filing and service; arranged delivery of courtesy copies to chambers; email transmittal correspondence to chambers attaching proposed order.		\$ 110.00		TM
2245	5/1/2017	Eden Nordby	0.20	\$ 150.00	\$ 30.00	Worked on exhibits in support of motion for preliminary approval of settlement.		\$ 30.00		TM

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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
2246	5/1/2017	Erika Nusser	0.30	\$350.00	\$ 105.00	Finalized motion for preliminary approval and supporting documents for filing [3].		\$ 105.00		TM
2247	5/1/2017	Toby Marshall	0.60	\$475.00	\$ 285.00	Email correspondence with co-counsel regarding action items for motion on fees and costs [1]; worked on draft of supporting declaration from Mr. Berger [5].		\$ 285.00		TM
2248	5/2/2017	Bradford Kinsey	0.60	\$100.00	\$ 60.00	Prepared draft of and finalized praecipe to replace Exhibit 1 (executed settlement agreement) to the Marshall declaration in support of motion for preliminary approval.		\$ 60.00		TM
2249	5/2/2017	Eden Nordby	0.40	\$150.00	\$ 60.00	Worked on issues regarding settlement website; worked on exhibit to supplemental declaration in support of motion for preliminary approval.		\$ 60.00		TM
2250	5/2/2017	Erika Nusser	0.20	\$350.00	\$ 70.00	Worked on praecipe to attach Defendant's counsel's signature page to settlement agreement for motion for preliminary approval [1]; conference regarding settlement website [1].		\$ 70.00		TM
2251	5/2/2017	Toby Marshall	1.80	\$475.00	\$ 855.00	Worked on review, redaction, and writedown of lodestar for motion to determine and award reasonable fees [1.8].		\$ 855.00		TM
2252	5/3/2017	Greg Wolk	2.80	\$ 425.00	\$ 1,190.00	analyze and discount fees (2); revise declaration to support fee (0.8); confer w co-counsel re same		\$ 1,190.00		RW
2253	5/3/2017	Eden Nordby	1.70	\$150.00	\$ 255.00	Worked on content for settlement website; revised long form notice [1]; worked on documents for CAFA notice; forwarded same to settlement administrator [7].		\$ 255.00		TM
2254	5/3/2017	Erika Nusser	0.10	\$350.00	\$ 35.00	Emails regarding documents for CAFA notice [1].		\$ 35.00		TM
2255	5/3/2017	Jennifer Boschen	0.70	\$150.00	\$ 105.00	Purchased settlement domain; configured hosting and redirect page.		\$ 105.00		TM
2256	5/3/2017	Toby Marshall	0.70	\$475.00	\$ 332.50	Telephone conference with co-counsel regarding strategy for motion for fees and costs [4]; worked on spreadsheet setting forth detailed time entries for same [3].	0.30	\$ 190.00	Administrative	TM
2257	5/5/2017	Greg Wolk	0.80	\$425.00	\$ 340.00	Discount staff fee entries		\$ 340.00		RW
2258	5/5/2017	Amanda Steiner	3.10	\$495.00	\$ 1,534.50	Worked on fee motion, related research [3.1].		\$ 1,534.50		TM
2259	5/8/2017	Toby Marshall	0.20	\$475.00	\$ 95.00	Telephone conference with co-counsel and email to opposing counsel regarding settlement negotiations over fees and costs [2].		\$ 95.00		TM
2260	5/9/2017	Greg Wolk	0.60	\$425.00	\$ 255.00	returned calls from Class members (.4); analyze defense counsel's response to fee negotiations (.2)		\$ 255.00		RW
2261	5/9/2017	Erika Nusser	0.50	\$350.00	\$ 175.00	Emails and conference regarding CAFA notice, and worked on revisions to the same [5].		\$ 175.00		TM
2262	5/9/2017	Toby Marshall	0.30	\$475.00	\$ 142.50	Email correspondence with co-counsel regarding negotiations over fees and costs [1]; analyzed issues regarding CAFA notice [2].		\$ 142.50		TM
2263	5/11/2017	Toby Marshall	0.20	\$475.00	\$ 95.00	Email correspondence with co-counsel and opposing counsel regarding settlement negotiations for fees and costs [2].		\$ 95.00		TM
2264	5/15/2017	Eden Nordby	0.50	\$150.00	\$ 75.00	Updated settlement class list with new class member addresses.		\$ 75.00		TM
2265	5/15/2017	Toby Marshall	0.80	\$475.00	\$ 380.00	Worked on preparation of fee details for presentation to court [4]; worked on declaration of Mr. Berger in support of motion for award of fees [4].	0.40	\$ 190.00	Administrative	TM
2266	5/16/2017	Toby Marshall	0.30	\$475.00	\$ 142.50	Email correspondence with opposing counsel regarding settlement negotiations over fees and costs [1]; worked on declaration of Mr. Berger in support of motion for award of fees and email correspondence with co-counsel regarding same [2].		\$ 142.50		TM
2267	5/17/2017	Greg Wolk	0.50	\$425.00	\$ 212.50	revise decs for fee petition (.3); confer w co-counsel re fee settlement discussions (.2)		\$ 212.50		RW
2268	5/17/2017	Eden Nordby	0.20	\$150.00	\$ 30.00	Email correspondence regarding settlement website.		\$ 30.00		TM
2269	5/17/2017	Toby Marshall	1.10	\$475.00	\$ 522.50	Telephone conferences with co-counsel regarding settlement negotiations over fees and costs [3]; email correspondence with opposing counsel regarding same [1]; analyzed issues regarding Knight's assertion that additional time should be cut for work with experts and reviewed detailed reports for same [7].		\$ 522.50		TM
2270	5/18/2017	Erika Nusser	0.20	\$350.00	\$ 70.00	Worked on reply in support of motion for preliminary approval [2].		\$ 70.00		TM
2271	5/19/2017	Holly Rota	0.50	\$100.00	\$ 50.00	Worked on and finalized reply in support of plaintiffs' motion for preliminary approval of class action settlement; electronically filed same.		\$ 50.00		TM
2272	5/24/2017	Eden Nordby	3.00	\$150.00	\$ 450.00	Reviewed settlement agreement and preliminary approval order; worked on calculating deadlines regarding settlement; worked on finalizing long form notice.		\$ 450.00		TM
2273	5/24/2017	Erika Nusser	0.30	\$350.00	\$ 105.00	Emails regarding preliminary approval of settlement and settlement administration, and deadlines for the same [3].		\$ 105.00		TM
2274	5/24/2017	Toby Marshall	0.10	\$475.00	\$ 47.50	Telephone conference with co-counsel regarding settlement negotiations on fees and costs [1].		\$ 47.50		TM
2275	5/25/2017	Amanda Steiner	0.90	\$495.00	\$ 445.50	Strategy conference regarding fee motion [2]; reviewed and revised declaration in support [7].		\$ 445.50		TM
2276	5/25/2017	Erika Nusser	0.20	\$350.00	\$ 70.00	Emails regarding settlement administration issues [2].		\$ 70.00		TM

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1	A	B	C	D	E	F	G	H	I	J
	Date	Professional	Units	Price	Value	Narrative	Writedown	Revised Value	Writedown Explanation	Firm
2277	5/25/2017	Toby Marshall	0.70	\$475.00	\$ 332.50	Analyzed issues regarding award calculations for settlement payments to class members and email correspondence with settlement administrator regarding same [.2]; telephone conference with opposing counsel regarding same [.1]; worked on motion for award of fees and declarations in support of same [.2]; worked on settlement award calculations [.2].		\$ 332.50		TM
2278	5/26/2017	Eden Nordby	0.40	\$150.00	\$ 60.00	Worked on issues regarding settlement website and notice.		\$ 60.00		TM
2279	5/26/2017	Erika Nusser	0.20	\$350.00	\$ 70.00	Emails regarding settlement administration issues [.2].		\$ 70.00		TM
2280	5/26/2017	Samuel Levy	0.20	\$100.00	\$ 20.00	Worked on docketing.	0.20	\$ -	Administrative	TM
2281	5/30/2017	Greg Wolk	0.40	\$425.00	\$ 170.00	review notice and proposed changes by opp counsel		\$ 170.00		RW
2282	5/30/2017	Samuel Levy	0.50	\$100.00	\$ 50.00	Worked on docketing.	0.20	\$ 30.00	Administrative	TM
2283	5/30/2017	Toby Marshall	0.20	\$475.00	\$ 95.00	Analyzed issues regarding finalization of notice documents and email correspondence with co-counsel regarding same [.2].		\$ 95.00		TM
2284	5/31/2017	Greg Wolk	0.30	\$425.00	\$ 127.50	finalize notice revisions		\$ 127.50		RW
2285	5/31/2017	Toby Marshall	0.10	\$475.00	\$ 47.50	Worked on action items for fees and costs motion [.1].		\$ 47.50		TM
2286	6/1/2017	Greg Wolk	1.70	\$425.00	\$ 722.50	draft case summary for fee petition (1.2); call class member and email co-counsel re updated addresses (.3); review case summary and email co-counsel (.2)		\$ 722.50		RW
2287	6/1/2017	Eden Nordby	0.70	\$150.00	\$ 105.00	Worked on update to case website [.3]; email correspondence with co-counsel and settlement administrator regarding settlement notice issues [.4].		\$ 105.00		TM
2288	6/1/2017	Toby Marshall	3.70	\$475.00	\$ 1,757.50	Worked on supporting declarations for fee motion [.2]; worked on notice issues [.1]; worked on fee detail review and preparation [2.1]; worked on memorandum regarding history of litigation for attorneys providing declarations in support of fee motion and email correspondence with co-counsel regarding same [.6]; worked on calculations showing recovery versus calculations by defendant's expert [.4]; gathered materials and drafted email to Mr. Johnson regarding request for declaration in support of fee motion [.3].	2.10	\$ 760.00	Administrative	TM
2289			3045.63		\$ 1,121,630.99		611.08	\$ 934,408.17		

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- Exhibit B -

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Date	Component	Units	Price	Value
10/9/2012	Accurint	1	\$ 354.77	\$ 354.77
2/4/2014	Accurint	1	\$ 41.00	\$ 41.00
3/6/2014	Accurint	1	\$ 5.00	\$ 5.00
4/2/2014	Accurint	1	\$ 13.00	\$ 13.00
				\$ 413.77
2/11/2013	Air Fare	1	\$ 306.80	\$ 306.80
				\$ 306.80
1/29/2014	Class Notice	1	\$ 87.25	\$ 87.25
1/31/2014	Class Notice	1	\$ 246.19	\$ 246.19
5/3/2017	Class Notice	1	\$ 46.08	\$ 46.08
				\$ 379.52
1/31/2013	Courier/PS	1	\$ 150.00	\$ 150.00
2/19/2013	Courier/PS	1	\$ 150.00	\$ 150.00
2/26/2013	Courier/PS	1	\$ 39.00	\$ 39.00
4/9/2013	Courier/PS	1	\$ 29.00	\$ 29.00
4/10/2013	Courier/PS	1	\$ 18.75	\$ 18.75
4/15/2013	Courier/PS	1	\$ 7.00	\$ 7.00
3/6/2014	Courier/PS	1	\$ 7.00	\$ 7.00
6/27/2014	Courier/PS	1	\$ 25.00	\$ 25.00
11/6/2015	Courier/PS	1	\$ 7.00	\$ 7.00
5/20/2016	Courier/PS	1	\$ 25.00	\$ 25.00
10/26/2016	Courier/PS	1	\$ 7.00	\$ 7.00
				\$ 464.75
5/31/2013	Expert	1	\$ 2,070.00	\$ 2,070.00
1/31/2014	Expert	1	\$ 3,312.50	\$ 3,312.50
3/21/2014	Expert	1	\$ 5,968.75	\$ 5,968.75
3/21/2014	Expert	1	\$ 5,968.75	\$ 5,968.75
3/31/2014	Expert	1	\$ 787.50	\$ 787.50
4/16/2014	Expert	1	\$ 1,487.50	\$ 1,487.50
4/16/2014	Expert	1	\$ 1,487.50	\$ 1,487.50
5/16/2014	Expert	1	\$ 2,125.00	\$ 2,125.00
5/16/2014	Expert	1	\$ 2,125.00	\$ 2,125.00
6/20/2014	Expert	1	\$ 875.00	\$ 875.00
1/19/2015	Expert	1	\$ 375.00	\$ 375.00
3/15/2016	Expert	1	\$ 1,937.50	\$ 1,937.50
5/31/2016	Expert	1	\$ 700.00	\$ 700.00
8/31/2016	Expert	1	\$ 14,400.00	\$ 14,400.00
10/4/2016	Expert	1	\$ 3,750.00	\$ 3,750.00
11/19/2016	Expert	1	\$ 3,325.00	\$ 3,325.00
				\$ 50,695.00

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Date	Component	Units	Price	Value
2/11/2013	Hotel	1	\$ 201.42	\$ 201.42
				\$ 201.42
12/18/2012	Meal	1	\$ 34.92	\$ 34.92
12/19/2012	Meal	1	\$ 32.85	\$ 32.85
12/20/2012	Meal	1	\$ 25.98	\$ 25.98
2/12/2013	Meal	1	\$ 19.12	\$ 19.12
5/5/2014	Meal	1	\$ 27.04	\$ 27.04
7/1/2014	Meal	1	\$ 21.69	\$ 21.69
7/1/2014	Meal	1	\$ 5.37	\$ 5.37
7/25/2014	Meal	1	\$ 30.00	\$ 30.00
6/21/2016	Meal	1	\$ 7.82	\$ 7.82
				\$ 204.79
7/16/2014	Mediation	1	\$ 2,387.50	\$ 2,387.50
7/25/2014	Mediation	1	\$ 18.00	\$ 18.00
8/19/2016	Mediation	1	\$ 1,325.00	\$ 1,325.00
				\$ 3,730.50
10/5/2012	Mileage	1	\$ 13.88	\$ 13.88
10/9/2012	Mileage	1	\$ 46.62	\$ 46.62
10/15/2012	Mileage	1	\$ 48.84	\$ 48.84
				\$ 109.34
10/15/2012	PACER	1	\$ 14.30	\$ 14.30
1/9/2013	PACER	1	\$ 4.70	\$ 4.70
4/25/2013	PACER	1	\$ 11.40	\$ 11.40
8/7/2013	PACER	1	\$ 11.40	\$ 11.40
10/24/2013	PACER	1	\$ 4.50	\$ 4.50
10/15/2014	PACER	1	\$ 4.40	\$ 4.40
2/5/2016	PACER	1	\$ 6.70	\$ 6.70
				\$ 57.40
12/20/2012	Parking	1	\$ 28.00	\$ 28.00
2/12/2013	Parking	1	\$ 56.00	\$ 56.00
9/25/2013	Parking	1	\$ 13.00	\$ 13.00
1/6/2014	Parking	1	\$ 12.00	\$ 12.00
5/5/2014	Parking	1	\$ 28.00	\$ 28.00
7/1/2014	Parking	1	\$ 30.00	\$ 30.00
7/25/2014	Parking	1	\$ 14.00	\$ 14.00
3/18/2015	Parking	1	\$ 10.00	\$ 10.00
4/19/2016	Parking	1	\$ 19.00	\$ 19.00
4/21/2016	Parking	1	\$ 15.00	\$ 15.00
9/6/2016	Parking	1	\$ 25.00	\$ 25.00
10/25/2016	Parking	1	\$ 23.00	\$ 23.00

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Date	Component	Units	Price	Value
				\$ 273.00
10/18/2012	Postage	1	\$ 1.64	\$ 1.64
11/19/2012	Postage	1	\$ 0.90	\$ 0.90
12/18/2012	Postage	1	\$ 0.45	\$ 0.45
1/22/2013	Postage	1	\$ 23.69	\$ 23.69
2/19/2013	Postage	1	\$ 18.28	\$ 18.28
4/23/2013	Postage	1	\$ 18.72	\$ 18.72
11/18/2013	Postage	1	\$ 0.46	\$ 0.46
1/22/2014	Postage	1	\$ 0.46	\$ 0.46
2/19/2014	Postage	1	\$ 36.68	\$ 36.68
3/18/2014	Postage	1	\$ 10.96	\$ 10.96
4/18/2014	Postage	1	\$ 0.48	\$ 0.48
9/18/2015	Postage	1	\$ 0.49	\$ 0.49
				\$ 113.21
9/20/2012	Rep B&W	6	\$ 0.15	\$ 0.90
10/8/2012	Rep B&W	38	\$ 0.15	\$ 5.70
10/10/2012	Rep B&W	55	\$ 0.15	\$ 8.25
10/16/2012	Rep B&W	6	\$ 0.15	\$ 0.90
10/18/2012	Rep B&W	2	\$ 0.15	\$ 0.30
10/23/2012	Rep B&W	2	\$ 0.15	\$ 0.30
12/3/2012	Rep B&W	1	\$ 0.15	\$ 0.15
12/4/2012	Rep B&W	1	\$ 0.15	\$ 0.15
12/13/2012	Rep B&W	96	\$ 0.15	\$ 14.40
12/17/2012	Rep B&W	1	\$ 0.15	\$ 0.15
12/20/2012	Rep B&W	32	\$ 0.15	\$ 4.80
1/9/2013	Rep B&W	38	\$ 0.15	\$ 5.70
2/11/2013	Rep B&W	807	\$ 0.15	\$ 121.05
2/13/2013	Rep B&W	87	\$ 0.15	\$ 13.05
2/14/2013	Rep B&W	3	\$ 0.15	\$ 0.45
2/19/2013	Rep B&W	116	\$ 0.15	\$ 17.40
2/20/2013	Rep B&W	42	\$ 0.15	\$ 6.30
2/25/2013	Rep B&W	1,149.00	\$ 0.15	\$ 172.35
2/28/2013	Rep B&W	62	\$ 0.15	\$ 9.30
3/4/2013	Rep B&W	104	\$ 0.15	\$ 15.60
3/25/2013	Rep B&W	443	\$ 0.15	\$ 66.45
4/1/2013	Rep B&W	433	\$ 0.15	\$ 64.95
4/2/2013	Rep B&W	59	\$ 0.15	\$ 8.85
4/3/2013	Rep B&W	34	\$ 0.15	\$ 5.10
4/23/2013	Rep B&W	36	\$ 0.15	\$ 5.40
4/23/2013	Rep B&W	778	\$ 0.15	\$ 116.70
4/24/2013	Rep B&W	13	\$ 0.15	\$ 1.95
4/29/2013	Rep B&W	4	\$ 0.15	\$ 0.60
9/9/2013	Rep B&W	1,693.00	\$ 0.15	\$ 253.95
9/11/2013	Rep B&W	3	\$ 0.15	\$ 0.45

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Date	Component	Units	Price	Value
9/23/2013	Rep B&W	536	\$ 0.15	\$ 80.40
9/24/2013	Rep B&W	38	\$ 0.15	\$ 5.70
9/25/2013	Rep B&W	60	\$ 0.15	\$ 9.00
10/14/2013	Rep B&W	27	\$ 0.15	\$ 4.05
10/21/2013	Rep B&W	4	\$ 0.15	\$ 0.60
10/28/2013	Rep B&W	40	\$ 0.15	\$ 6.00
11/25/2013	Rep B&W	7	\$ 0.15	\$ 1.05
1/22/2014	Rep B&W	7	\$ 0.15	\$ 1.05
3/25/2014	Rep B&W	41	\$ 0.15	\$ 6.15
3/26/2014	Rep B&W	18	\$ 0.15	\$ 2.70
6/18/2014	Rep B&W	27	\$ 0.15	\$ 4.05
6/23/2014	Rep B&W	30	\$ 0.15	\$ 4.50
6/30/2014	Rep B&W	65	\$ 0.15	\$ 9.75
7/17/2014	Rep B&W	57	\$ 0.15	\$ 8.55
7/22/2014	Rep B&W	57	\$ 0.15	\$ 8.55
7/25/2014	Rep B&W	23	\$ 0.15	\$ 3.45
8/6/2014	Rep B&W	137	\$ 0.15	\$ 20.55
11/18/2014	Rep B&W	57	\$ 0.15	\$ 8.55
12/1/2014	Rep B&W	55	\$ 0.15	\$ 8.25
12/5/2014	Rep B&W	113	\$ 0.15	\$ 16.95
12/15/2014	Rep B&W	18	\$ 0.15	\$ 2.70
3/10/2015	Rep B&W	174	\$ 0.15	\$ 26.10
3/17/2015	Rep B&W	136	\$ 0.15	\$ 20.40
3/30/2015	Rep B&W	15	\$ 0.15	\$ 2.25
10/19/2015	Rep B&W	30	\$ 0.15	\$ 4.50
11/2/2015	Rep B&W	52	\$ 0.15	\$ 7.80
12/9/2015	Rep B&W	40	\$ 0.15	\$ 6.00
12/22/2015	Rep B&W	38	\$ 0.15	\$ 5.70
2/17/2016	Rep B&W	15	\$ 0.15	\$ 2.25
3/18/2016	Rep B&W	216	\$ 0.15	\$ 32.40
4/20/2016	Rep B&W	71	\$ 0.15	\$ 10.65
4/25/2016	Rep B&W	107	\$ 0.15	\$ 16.05
9/19/2016	Rep B&W	1	\$ 0.15	\$ 0.15
9/19/2016	Rep B&W	1	\$ 0.15	\$ 0.15
10/18/2016	Rep B&W	17	\$ 0.15	\$ 2.55
12/5/2016	Rep B&W	17	\$ 0.15	\$ 2.55
4/3/2017	Rep B&W	33	\$ 0.15	\$ 4.95
5/3/2017	Rep B&W	174	\$ 0.15	\$ 26.10
				\$ 1,304.70
10/8/2012	Rep Color	12	\$ 0.25	\$ 3.00
10/10/2012	Rep Color	1	\$ 0.25	\$ 0.25
10/18/2012	Rep Color	1	\$ 0.25	\$ 0.25
12/13/2012	Rep Color	2	\$ 0.25	\$ 0.50
1/2/2013	Rep Color	2	\$ 0.25	\$ 0.50
1/9/2013	Rep Color	25	\$ 0.25	\$ 6.25

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
 PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
 AND REIMBURSEMENT OF LITIGATION COSTS - 85
 CASE NO. 2:12-CV-00904-RSL

Date	Component	Units	Price	Value
2/14/2013	Rep Color	2	\$ 0.25	\$ 0.50
2/19/2013	Rep Color	2	\$ 0.25	\$ 0.50
2/25/2013	Rep Color	34	\$ 0.25	\$ 8.50
5/13/2013	Rep Color	1	\$ 0.25	\$ 0.25
11/7/2013	Rep Color	1	\$ 0.25	\$ 0.25
3/25/2014	Rep Color	66	\$ 0.25	\$ 16.50
6/23/2014	Rep Color	65	\$ 0.25	\$ 16.25
3/10/2015	Rep Color	3	\$ 0.25	\$ 0.75
3/30/2015	Rep Color	156	\$ 0.25	\$ 39.00
10/19/2015	Rep Color	1	\$ 0.25	\$ 0.25
11/2/2015	Rep Color	66	\$ 0.25	\$ 16.50
12/9/2015	Rep Color	45	\$ 0.25	\$ 11.25
12/22/2015	Rep Color	92	\$ 0.25	\$ 23.00
4/20/2016	Rep Color	166	\$ 0.25	\$ 41.50
4/25/2016	Rep Color	348	\$ 0.25	\$ 87.00
				\$ 272.75
10/8/2012	Scans	367	\$ 0.05	\$ 18.35
10/10/2012	Scans	245	\$ 0.05	\$ 12.25
12/13/2012	Scans	1	\$ 0.05	\$ 0.05
1/2/2013	Scans	249	\$ 0.05	\$ 12.45
1/9/2013	Scans	100	\$ 0.05	\$ 5.00
5/21/2014	Scans	167	\$ 0.05	\$ 8.35
				\$ 56.45
2/11/2013	Taxi	1	\$ 31.49	\$ 31.49
2/12/2013	Taxi	1	\$ 37.00	\$ 37.00
				\$ 68.49
10/5/2012	Toll	1	\$ 7.68	\$ 7.68
				\$ 7.68
1/2/2013	Transcript	1	\$ 1,192.98	\$ 1,192.98
2/18/2013	Transcript	1	\$ 957.24	\$ 957.24
8/28/2015	Transcript	1	\$ 47.70	\$ 47.70
5/16/2016	Transcript	1	\$ 203.70	\$ 203.70
				\$ 2,401.62
9/13/2012	Westlaw	1	\$ 43.05	\$ 43.05
9/14/2012	Westlaw	1	\$ 286.50	\$ 286.50
10/16/2012	Westlaw	1	\$ 45.00	\$ 45.00
11/7/2012	Westlaw	1	\$ 111.75	\$ 111.75
11/16/2012	Westlaw	1	\$ 12.90	\$ 12.90
12/27/2012	Westlaw	1	\$ 256.80	\$ 256.80
12/28/2012	Westlaw	1	\$ 4.50	\$ 4.50

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
 PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
 AND REIMBURSEMENT OF LITIGATION COSTS - 86
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Date	Component	Units	Price	Value
1/2/2013	Westlaw	1	\$ 207.30	\$ 207.30
1/3/2013	Westlaw	1	\$ 46.95	\$ 46.95
1/4/2013	Westlaw	1	\$ 492.75	\$ 492.75
1/7/2013	Westlaw	1	\$ 455.55	\$ 455.55
1/8/2013	Westlaw	1	\$ 625.20	\$ 625.20
1/9/2013	Westlaw	1	\$ 171.75	\$ 171.75
1/10/2013	Westlaw	1	\$ 337.35	\$ 337.35
1/11/2013	Westlaw	1	\$ 238.95	\$ 238.95
1/12/2013	Westlaw	1	\$ 80.40	\$ 80.40
1/14/2013	Westlaw	1	\$ 351.60	\$ 351.60
1/21/2013	Westlaw	1	\$ 66.60	\$ 66.60
1/23/2013	Westlaw	1	\$ 3.90	\$ 3.90
1/24/2013	Westlaw	1	\$ 36.45	\$ 36.45
1/31/2013	Westlaw	1	\$ 46.95	\$ 46.95
2/12/2013	Westlaw	1	\$ 10.95	\$ 10.95
2/13/2013	Westlaw	1	\$ 3.90	\$ 3.90
2/14/2013	Westlaw	1	\$ 22.65	\$ 22.65
2/15/2013	Westlaw	1	\$ 5.85	\$ 5.85
2/16/2013	Westlaw	1	\$ 12.90	\$ 12.90
2/17/2013	Westlaw	1	\$ 18.75	\$ 18.75
2/20/2013	Westlaw	1	\$ 124.80	\$ 124.80
2/21/2013	Westlaw	1	\$ 162.30	\$ 162.30
2/21/2013	Westlaw	1	\$ 72.30	\$ 72.30
2/22/2013	Westlaw	1	\$ 1.95	\$ 1.95
2/22/2013	Westlaw	1	\$ 38.70	\$ 38.70
3/21/2013	Westlaw	1	\$ 9.00	\$ 9.00
3/28/2013	Westlaw	1	\$ 40.65	\$ 40.65
3/31/2013	Westlaw	1	\$ 196.95	\$ 196.95
4/1/2013	Westlaw	1	\$ 14.85	\$ 14.85
4/1/2013	Westlaw	1	\$ 111.90	\$ 111.90
4/2/2013	Westlaw	1	\$ 85.95	\$ 85.95
4/4/2013	Westlaw	1	\$ 73.50	\$ 73.50
4/5/2013	Westlaw	1	\$ 1.95	\$ 1.95
4/5/2013	Westlaw	1	\$ 18.00	\$ 18.00
4/6/2013	Westlaw	1	\$ 138.25	\$ 138.25
4/6/2013	Westlaw	1	\$ 8.25	\$ 8.25
4/7/2013	Westlaw	1	\$ 1.95	\$ 1.95
4/8/2013	Westlaw	1	\$ 43.35	\$ 43.35
4/23/2013	Westlaw	1	\$ 1.95	\$ 1.95
9/4/2013	Westlaw	1	\$ 16.80	\$ 16.80
9/18/2013	Westlaw	1	\$ 27.00	\$ 27.00
9/19/2013	Westlaw	1	\$ 37.50	\$ 37.50
9/20/2013	Westlaw	1	\$ 56.25	\$ 56.25
9/21/2013	Westlaw	1	\$ 61.35	\$ 61.35
9/23/2013	Westlaw	1	\$ 3.90	\$ 3.90
9/24/2013	Westlaw	1	\$ 34.80	\$ 34.80

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 87
CASE NO. 2:12-CV-00904-RSL

Date	Component	Units	Price	Value
9/25/2013	Westlaw	1	\$ 18.75	\$ 18.75
9/30/2013	Westlaw	1	\$ 64.50	\$ 64.50
9/30/2013	Westlaw	1	\$ 85.05	\$ 85.05
10/1/2013	Westlaw	1	\$ 1.95	\$ 1.95
10/1/2013	Westlaw	1	\$ 1.95	\$ 1.95
10/18/2013	Westlaw	1	\$ 133.65	\$ 133.65
10/21/2013	Westlaw	1	\$ 25.35	\$ 25.35
10/22/2013	Westlaw	1	\$ 36.75	\$ 36.75
10/23/2013	Westlaw	1	\$ 61.35	\$ 61.35
2/17/2014	Westlaw	1	\$ 36.75	\$ 36.75
2/17/2014	Westlaw	1	\$ 36.75	\$ 36.75
4/24/2014	Westlaw	1	\$ 9.00	\$ 9.00
5/1/2014	Westlaw	1	\$ 66.90	\$ 66.90
5/7/2014	Westlaw	1	\$ 12.90	\$ 12.90
6/17/2014	Westlaw	1	\$ 169.20	\$ 169.20
6/25/2014	Westlaw	1	\$ 1.95	\$ 1.95
6/29/2014	Westlaw	1	\$ 78.30	\$ 78.30
7/8/2014	Westlaw	1	\$ 96.90	\$ 96.90
7/10/2014	Westlaw	1	\$ 10.95	\$ 10.95
7/10/2014	Westlaw	1	\$ 249.00	\$ 249.00
7/11/2014	Westlaw	1	\$ 12.90	\$ 12.90
7/12/2014	Westlaw	1	\$ 211.50	\$ 211.50
7/16/2014	Westlaw	1	\$ 151.95	\$ 151.95
7/17/2014	Westlaw	1	\$ 64.95	\$ 64.95
7/24/2014	Westlaw	1	\$ 12.90	\$ 12.90
11/19/2014	Westlaw	1	\$ 12.90	\$ 12.90
11/20/2014	Westlaw	1	\$ 3.90	\$ 3.90
11/21/2014	Westlaw	1	\$ 77.40	\$ 77.40
11/23/2014	Westlaw	1	\$ 28.50	\$ 28.50
11/24/2014	Westlaw	1	\$ 18.75	\$ 18.75
11/25/2014	Westlaw	1	\$ 7.80	\$ 7.80
11/26/2014	Westlaw	1	\$ 22.65	\$ 22.65
11/29/2014	Westlaw	1	\$ 192.30	\$ 192.30
11/30/2014	Westlaw	1	\$ 15.60	\$ 15.60
11/30/2014	Westlaw	1	\$ 1.98	\$ 1.98
12/1/2014	Westlaw	1	\$ 6.20	\$ 6.20
12/1/2014	Westlaw	1	\$ 7.18	\$ 7.18
3/14/2015	Westlaw	1	\$ 5.31	\$ 5.31
3/17/2015	Westlaw	1	\$ 9.54	\$ 9.54
3/18/2015	Westlaw	1	\$ 1.88	\$ 1.88
10/11/2015	Westlaw	1	\$ 7.95	\$ 7.95
10/12/2015	Westlaw	1	\$ 9.79	\$ 9.79
10/13/2015	Westlaw	1	\$ 25.63	\$ 25.63
10/26/2015	Westlaw	1	\$ 1.15	\$ 1.15
10/27/2015	Westlaw	1	\$ 0.86	\$ 0.86
10/28/2015	Westlaw	1	\$ 2.59	\$ 2.59

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 88
CASE NO. 2:12-CV-00904-RSL

Date	Component	Units	Price	Value
10/29/2015	Westlaw	1	\$ 1.44	\$ 1.44
10/29/2015	Westlaw	1	\$ 8.06	\$ 8.06
10/29/2015	Westlaw	1	\$ 3.74	\$ 3.74
11/2/2015	Westlaw	1	\$ 3.82	\$ 3.82
11/6/2015	Westlaw	1	\$ 0.29	\$ 0.29
11/9/2015	Westlaw	1	\$ 9.22	\$ 9.22
11/12/2015	Westlaw	1	\$ 5.76	\$ 5.76
11/13/2015	Westlaw	1	\$ 0.29	\$ 0.29
11/18/2015	Westlaw	1	\$ 1.73	\$ 1.73
11/19/2015	Westlaw	1	\$ 0.29	\$ 0.29
11/20/2015	Westlaw	1	\$ 0.29	\$ 0.29
11/24/2015	Westlaw	1	\$ 1.44	\$ 1.44
12/1/2015	Westlaw	1	\$ 0.29	\$ 0.29
12/2/2015	Westlaw	1	\$ 1.73	\$ 1.73
12/4/2015	Westlaw	1	\$ 7.20	\$ 7.20
12/4/2015	Westlaw	1	\$ 0.86	\$ 0.86
4/17/2016	Westlaw	1	\$ 0.68	\$ 0.68
4/19/2016	Westlaw	1	\$ 1.74	\$ 1.74
4/19/2016	Westlaw	1	\$ 1.32	\$ 1.32
4/20/2016	Westlaw	1	\$ 0.75	\$ 0.75
9/5/2016	Westlaw	1	\$ 0.54	\$ 0.54
9/6/2016	Westlaw	1	\$ 0.23	\$ 0.23
9/16/2016	Westlaw	1	\$ 0.99	\$ 0.99
9/18/2016	Westlaw	1	\$ 0.23	\$ 0.23
9/23/2016	Westlaw	1	\$ 3.17	\$ 3.17
10/4/2016	Westlaw	1	\$ 0.92	\$ 0.92
10/5/2016	Westlaw	1	\$ 0.82	\$ 0.82
10/8/2016	Westlaw	1	\$ 5.58	\$ 5.58
10/9/2016	Westlaw	1	\$ 5.26	\$ 5.26
10/11/2016	Westlaw	1	\$ 0.41	\$ 0.41
10/13/2016	Westlaw	1	\$ 0.71	\$ 0.71
10/17/2016	Westlaw	1	\$ 0.35	\$ 0.35
10/18/2016	Westlaw	1	\$ 0.90	\$ 0.90
10/18/2016	Westlaw	1	\$ 1.83	\$ 1.83
10/18/2016	Westlaw	1	\$ 0.35	\$ 0.35
10/19/2016	Westlaw	1	\$ 3.61	\$ 3.61
10/19/2016	Westlaw	1	\$ 2.09	\$ 2.09
10/20/2016	Westlaw	1	\$ 0.09	\$ 0.09
10/20/2016	Westlaw	1	\$ 1.26	\$ 1.26
10/20/2016	Westlaw	1	\$ 0.87	\$ 0.87
10/24/2016	Westlaw	1	\$ 0.25	\$ 0.25
10/25/2016	Westlaw	1	\$ 2.11	\$ 2.11
10/26/2016	Westlaw	1	\$ 2.41	\$ 2.41
10/26/2016	Westlaw	1	\$ 0.99	\$ 0.99
10/27/2016	Westlaw	1	\$ 1.70	\$ 1.70
10/28/2016	Westlaw	1	\$ 1.35	\$ 1.35

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 89
CASE NO. 2:12-CV-00904-RSL

Date	Component	Units	Price	Value
10/30/2016	Westlaw	1	\$ 6.20	\$ 6.20
10/31/2016	Westlaw	1	\$ 4.20	\$ 4.20
10/31/2016	Westlaw	1	\$ 0.05	\$ 0.05
11/3/2016	Westlaw	1	\$ 0.79	\$ 0.79
11/30/2016	Westlaw	1	\$ 0.92	\$ 0.92
12/6/2016	Westlaw	1	\$ 0.25	\$ 0.25
12/7/2016	Westlaw	1	\$ 1.65	\$ 1.65
12/8/2016	Westlaw	1	\$ 0.83	\$ 0.83
3/16/2017	Westlaw	1	\$ 1.46	\$ 1.46
3/21/2017	Westlaw	1	\$ 0.34	\$ 0.34
4/18/2017	Westlaw	1	\$ 2.26	\$ 2.26
4/20/2017	Westlaw	1	\$ 0.24	\$ 0.24
4/21/2017	Westlaw	1	\$ 1.13	\$ 1.13
4/21/2017	Westlaw	1	\$ 6.50	\$ 6.50
4/24/2017	Westlaw	1	\$ 1.70	\$ 1.70
4/28/2017	Westlaw	1	\$ 0.60	\$ 0.60
				\$ 7,612.39
Total			\$ 68,673.58	

DECLARATION OF TOBY J. MARSHALL IN SUPPORT OF
PLAINTIFFS' MOTION FOR AWARD OF ATTORNEYS' FEES
AND REIMBURSEMENT OF LITIGATION COSTS - 90
CASE NO. 2:12-CV-00904-RSL

Exhibit A-4

Exhibit F

THE HONORABLE ROBERT S. LASNIK

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON

JOSEPH JEROME WILBUR, a Washington
resident; JEREMIAH RAY MOON, a
Washington resident; and ANGELA MARIE
MONTAGUE, a Washington resident,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

CITY OF MOUNT VERNON, a Washington
municipal corporation; and CITY OF
BURLINGTON, a Washington municipal
corporation,

Defendants.

NO. 2:11-cv-01100 RSL

**PLAINTIFFS' MOTION FOR AWARD
OF ATTORNEYS' FEES AND
EXPENSES**

NOTE ON MOTION CALENDAR:
January 3, 2013

ORAL ARGUMENT REQUESTED

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I. INTRODUCTION

This class action lawsuit has been, and will long continue to be, a case of exceptional importance. At issue was the fundamental right to the assistance of counsel that is guaranteed under the Sixth Amendment of the United States Constitution. Plaintiffs proved at trial that thousands of indigent defendants in the Cities of Mount Vernon and Burlington have been systematically deprived of this right. Plaintiffs also proved that the deprivation has been directly and predictably caused by the deliberate choices of the Cities' municipal policymakers. The Court's decision to remedy the constitutional violations through substantial injunctive relief greatly amplifies the notes of freedom and liberty that emerged from Gideon's trumpet a half a century ago, and it does so at a critical time. As Attorney General Eric Holder recently noted, "America's indigent defense systems continue to exist in a state of crisis."¹ The important ruling delivered by the Court in this case will undoubtedly reverberate far beyond the Cities' borders, helping to raise public defense standards so that indigent defendants across the nation get the assistance of counsel to which they are entitled.²

Plaintiffs and their attorneys achieved what they set out to do, but the path to success was long and there were considerable obstacles along the way. The Cities aggressively defended their illegal conduct and refused several good-faith attempts to resolve the case through compromise. As a result, it was necessary for Class Counsel to rigorously and thoroughly prosecute the action and ultimately prove Plaintiffs' claims at trial. The stakes demanded an in-depth investigation of the facts, an extensive review of the law, the marshaling of substantial evidence, and the presentation of numerous witnesses. Throughout the entire process, Class Counsel worked as efficiently as possible and had no incentive to waste time on

¹ Eric Holder, United States Attorney General, Remarks at the Annual Meeting of the American Bar Association's House of Delegates (August 12, 2013) (transcript available at <http://www.justice.gov/iso/opa/ag/speeches/2013/ag-speech-130812.html>); see also Statement of Interest of the United States, Dkt. No. 322 at 4:17 ("Our national difficulty to meet the obligations recognized in *Gideon* is well documented.").

² See, e.g., Jesse Wegman, Editorial Page Editor's Blog, *The Right to an Attorney Who Actually Does His Job*, N.Y. Times, December 9, 2013 (available at <http://takingnote.blogs.nytimes.com/2013/12/09/the-right-to-an-attorney-who-actually-does-his-job/?hp&rref=opinion>).

unnecessary endeavors. For the reasons set forth below, the attorneys' fees and litigation expenses that Class Counsel incurred and seek to recover are reasonable and fair, particularly in light of the circumstances of the litigation and the extraordinary outcome achieved.

Accordingly, Plaintiffs respectfully move as the prevailing parties for an award to Class Counsel of \$2,425,916.52 in attorneys' fees and \$43,496.50 in litigation expenses, which shall be paid by the Cities. The motion is brought under 42 U.S.C. § 1988 and Civil Rules 23(h) and 54(d)(2) and is based on the Court's December 4, 2013 Memorandum of Decision.

II. FACTUAL BACKGROUND

In August 2010, attorneys Matt Zuchetto and Toby Marshall started researching and analyzing the systemic problems that have long plagued indigent defense systems and efforts to create reform through litigation. Marshall Decl. ¶ 25. The attorneys focused their investigation on the joint public defense system in Mount Vernon and Burlington. *Id.* Through public records requests, observations of court proceedings, and interviews with numerous individuals, Messrs. Zuchetto and Marshall determined that deprivations of the right to counsel were widespread and ongoing. *Id.* Thus, in June 2011 the attorneys filed this lawsuit in Skagit County Superior Court on behalf of Plaintiffs and a proposed class of indigent defendants, seeking declaratory and injunctive relief under 42 U.S.C. § 1983. *See* Dkt. No. 1-1, Ex. A. The Cities subsequently removed the case to this Court. Dkt. No. 1.

Shortly after the action was filed, the ACLU of Washington and its cooperating attorneys at Perkins Coie offered to join Messrs. Zuchetto and Marshall and their firms in representing the Plaintiffs and proposed class members. Marshall Decl. ¶ 26. The ACLU and Perkins Coie had successfully litigated a class action against Grant County over indigent defense rights, and Messrs. Zuchetto and Marshall knew the organizations could provide substantial experience, expertise, and resources. *Id.* Thus, Messrs. Zuchetto and Marshall accepted the offer to co-counsel on this important case. *Id.*

Within three weeks of filing the case, Plaintiffs' counsel sent a letter to opposing

1 counsel offering to enter into early mediation with the Cities. Marshall Decl. ¶ 27. The Cities
2 failed to respond. *Id.* Plaintiffs' counsel raised the issue again during the Rule 26(f)
3 conference, noting that the fees and expenses in an action of this magnitude would likely be
4 great if the matter proceeded to judgment, but the Cities stated that they intended to litigate the
5 case extensively and would not address mediation until after summary judgment and class
6 certification issues were resolved. Dkt. No. 10 at 3:4-24. The Cities also asserted that they
7 may simply choose to shut down their municipal courts rather than face an injunctive order
8 from this Court, thereby setting the tone for their approach to the lawsuit. *Id.*

9 Approximately one month after the filing of the parties' joint status report, the Cities
10 made good on their intention to aggressively defend against Plaintiffs' claims. The Cities filed
11 three separate summary judgment motions, each over 30 pages in length. *See* Dkt. Nos. 25-34.
12 Five weeks later, the Cities filed a motion for sanctions against Joseph Wilbur and a motion to
13 disqualify Plaintiffs' counsel and their experts for alleged violations of the Rules of
14 Professional Conduct. *See* Dkt. Nos. 87-90. Plaintiffs' counsel successfully defeated all of
15 these motions, but doing so required substantial evidence, testimony, and briefing. *See* Dkt.
16 Nos. 45-57, 93-106, 140, 142, 144 (noting "defense counsel had only a weak factual basis" for
17 the motion to disqualify, apparently acted "for tactical reasons," and "arguably overstep[ed] the
18 bounds of zealous advocacy"). Around the same time, Plaintiffs' counsel successfully moved
19 for class certification in the face of considerable opposition. *See* Dkt. Nos. 124-27, 143.

20 With the class certified and summary judgment denied, the case moved toward trial.
21 Extensive discovery was conducted by both sides, including eighteen depositions and the
22 production of thousands of pages of documents. Marshall Decl. ¶ 28. The work required of
23 Class Counsel to gather evidence for the prosecution of the case increased substantially when
24 the Cities made changes to their public defense system and argued those changes had rendered
25 the Class claims moot. *Id.*; *see also* Dkt. No. 218 at 1:14-16. Indeed, Class Counsel were
26 required to gather and present evidence on two different sets of public defenders. Marshall

Decl. ¶ 28. At the close of discovery, Defendants filed a motion for summary judgment on that ground, but Plaintiffs demonstrated there were genuine issues for trial. *See* Dkt. No. 271.

After class certification was granted and again before trial, Class Counsel worked hard to obtain a resolution of the case through settlement and made substantial offers of compromise. Marshall Decl. ¶ 29. The Cities rejected the offers and chose to take their chances on a trial. *See id.*

The case was tried during nine Court days in June 2013. Marshall Decl. ¶ 30. Thirty witnesses were called to testify and hundreds of exhibits were offered into evidence. *Id.* Post-trial briefing on key issues was submitted in August per the Court's request. *Id.* On December 4, 2013, the Court issued a memorandum of decision. Dkt. No. 325. The Court declared that indigent defendants in Mount Vernon and Burlington are systemically deprived of the assistance of counsel and that the Cities' municipal policymakers have made deliberate choices regarding the funding, contracting, and monitoring of the public defense system that directly and predictably caused the deprivation. *Id.* at 2:8-12. The Court ordered substantial injunctive relief to remedy the constitutional violations and restore the rights of the Class. *Id.* at 17-23.

III. ARGUMENT AND AUTHORITY

A. Plaintiffs Are the Prevailing Parties

The prevailing party in a civil rights suit is entitled to an award of reasonable attorneys' fees and out-of-pocket expenses. 42 U.S.C. § 1988(b) (fees); *Harris v. Marhoefer*, 24 F.3d 16, 19-20 (1994) (expenses). In reviewing section 1988 fee awards, the United States Supreme Court has noted:

Congress expressly recognized that a plaintiff who obtains relief in a civil rights lawsuit does so not for himself alone but also as a 'private attorney general,' vindicating a policy that Congress considered of the highest importance [Thus,] [c]ounsel for prevailing parties should be paid . . . for all time reasonably expended on [the] matter.

City of Riverside v. Rivera, 477 U.S. 561, 574-75 (1986) (quotation marks and citations omitted); *see also Leeds v. Watson*, 630 F.2d 674, 677 (9th Cir. 1980) (section 1988 "was

designed to provide for awards of attorney fees in ‘private attorney general’ types of claims in order to encourage the private enforcement of civil rights laws and to fully vindicate” those rights); *Ackerley Commc’ns v. City of Salem*, 752 F.2d 1394, 1396-97 (9th Cir. 1985) (awards of attorneys’ fees “act as an effective incentive for injured parties to seek judicial relief for civil rights violations” and “stimulate voluntary compliance with the law”) (quoting *Seattle Sch. Dist. No. 1 v. Washington*, 633 F.2d 1338, 1348 (9th Cir. 1980)).

A plaintiff “prevails” for purposes of section 1988 if there is a “material alteration of the parties’ legal relationship” that “is accompanied by ‘judicial imprimatur on the change.’” *Higher Taste, Inc. v. City of Tacoma*, 717 F.3d 712, 715 (9th Cir. 2013) (quoting *Buckhannon Bd. & Care Home, Inc. v. W. Va. Dep’t of Health & Human Res.*, 532 U.S. 598, 605 (2001)).

An order granting injunctive relief satisfies this requirement. *See Gerling Global Reinsurance Corp. of Am. v. Garamendi*, 400 F.3d 803, 806, 811 (9th Cir. 2005). Because the Court ordered substantial injunctive relief to the Class to remedy the Cities’ constitutional violations, Plaintiffs are the prevailing parties in this lawsuit and are entitled an award of reasonable fees and litigation expenses. *See* Dkt. No. 325 at 17-23.

B. Class Counsel Are Entitled to an Award of Reasonable Attorneys’ Fees and Expenses Incurred in This Action

1. The Lodestar Establishes a Presumptively Reasonable Fee

“In determining a reasonable attorney’s fee, the district court’s first step is to calculate a ‘lodestar’ by multiplying the number of hours it finds the prevailing party reasonably expended on the litigation by a reasonable hourly rate.” *McGrath v. County of Nev.*, 67 F.3d 248, 252 (9th Cir. 1995); *Hensley v. Eckerhart*, 461 U.S. 424, 433 (1983). There is a “strong presumption” that the lodestar amount constitutes a “reasonable” fee. *Perdue v. Kenny A. ex rel. Winn*, 559 U.S. 542, 553-54 (2010). Thus, “it should only be enhanced or reduced in ‘rare and exceptional cases.’” *Fischer v. SJB-P.D. Inc.*, 214 F.3d 1115, 1119 n.4 (9th Cir. 2000) (quoting *Pennsylvania v. Del. Valley Citizens’ Council for Clean Air*, 478 U.S. 546, 565 (1986)); *see also Kerr v. Screen Extras Guild, Inc.*, 526 F.2d 67, 70 (9th Cir. 1975) (factors).

2. Class Counsel's Hourly Rates Are Reasonable

Submitted in support of this motion are the declarations of Toby Marshall, Matthew Zuchetto, Sarah Dunne, and James Williams. Those declarations set forth the skill, experience, rates, hours worked, work performed, and need for time expended by each attorney and staff member that worked for Class Counsel on this matter. *See* Marshall Decl. ¶¶ 2-20; Zuchetto Decl. ¶¶ 2-15; Dunne Decl. ¶¶ 2-15; Williams Decl. ¶¶ 2-12. Nearly all of the work performed in prosecuting this case was accomplished by the following individuals, and Class Counsel seek fees at the current hourly rates noted for each: Toby Marshall, attorney (\$375); James Williams, attorney (\$580); Matt Zuchetto, attorney (\$330); Breena Roos, attorney (\$465); Camille Fisher, attorney (\$330); Jennifer Boschen, paralegal (\$150); Nancy Talner, attorney (\$400); Sarah Dunne, attorney (\$380); and Joel Higa, paralegal (\$155).³

For purposes of the lodestar determination, reasonable fees are “calculated according to the prevailing market rates in the relevant community, regardless of whether the plaintiff is represented by private or nonprofit counsel.” *Blum v. Stenson*, 465 U.S. 886, 895 (1984). “The relevant community is generally defined as the forum in which the district court sits.” *Van Skike v. Dir., Office of Workers' Comp. Programs*, 557 F.3d 1041, 1046 (2009) (quotation marks and citation omitted). Thus, in assessing the rates requested by Class Counsel, the Court should look to market rates in the Western District of Washington.

“[A]ffidavits of the plaintiffs' attorneys and other attorneys regarding prevailing fees in the community and rate determinations in other cases are satisfactory evidence of the prevailing market rate.” *Camacho v. Bridgeport Fin., Inc.*, 523 F.3d 973, 980 (9th Cir. 2008) (internal marks omitted; quoting *United Steelworkers of Am. v. Phelps Dodge Corp.*, 896 F.2d 403, 407

³ The application of current rates (as opposed to historical rates) throughout the case is an appropriate adjustment because it compensates Class Counsel for the substantial delay in payment for work performed in this case. *See Perdue*, 559 U.S. at 556; *see also Gates v. Deukmejian*, 987 F.2d 1392, 1406 (9th Cir. 1992) (“We have long recognized that district courts have the discretion to compensate prevailing parties for any delay in the receipt of fees by awarding fees at current rather than historic rates in order to adjust for inflation and loss of the use [of] funds.”). Indeed, the Ninth Circuit has noted that a delay of “over three years” from counsel’s initial work is “particularly onerous” where the fees ultimately incurred “run[] in the millions of dollars.” 987 F.2d at 1406-07. That is precisely the situation here.

(9th Cir. 1990)). As set forth in the declarations accompanying this motion, the rates Class Counsel request are consistent with rates charged by other lawyers in this community of similar skill and experience. Marshall Decl. ¶ 16; Zuchetto Decl. ¶¶ 6-7; Dunne Decl. ¶ 2; Williams Decl. ¶ 12. Indeed, three well-respected and experienced practitioners from Seattle—Bradley Keller, Sal Mungia, and Joseph Shaeffer—attest as experts that Class Counsel’s rates are comparable to prevailing rates in the Seattle community. Keller Decl. ¶¶ 6-9; Mungia Decl. ¶ 3-10; Shaeffer Dec. ¶¶ 7-12. Recent awards in western Washington also show the rates requested are reasonable. Marshall Decl. ¶¶ 21-22; Zuchetto Decl. ¶¶ 6-7.

3. The Time Class Counsel Spent Prosecuting This Case and Obtaining a Successful Outcome Was Reasonable

Class Counsel have filed detailed documentation of the time they spent investigating, litigating, and trying this case. Summaries of the hours worked by timekeeper, including applicable current rate and total fees, are provided in accompanying declarations. Marshall Decl. ¶ 20; Zuchetto Decl. ¶ 11; Dunne Decl. ¶ 15. Also provided as Appendix A to this motion is a consolidated spreadsheet that describes the tasks performed by every timekeeper on a daily basis and the number of hours spent on those tasks. Class Counsel compiled this spreadsheet from contemporaneously created time records. Marshall Decl. ¶ 16; Zuchetto Decl. ¶¶ 13-14; Dunne Decl. ¶ 14; Williams Decl. ¶ 10. With respect to work performed on the case up until this motion, Class Counsel respectfully seek payment of \$2,396,423.52 in fees.

Successfully prosecuting an indigent defense reform case is notoriously difficult. *See* Cara H. Drinan, *The National Right to Counsel Act: A Congressional Solution to the Nation’s Indigent Defense Crisis*, 47 Harvard Journal on Legislation 487, 522 (2010) (“lawsuits raising systemic deprivations of the right to counsel . . . have not been consistently successful in state court, and they have been almost entirely unsuccessful in federal court”). Such cases typically involve challenging and complex issues of justiciability, mootness, section 1983 liability, and injunctive relief. *See, e.g.,* William H.W. McKenna, *The Gideon Split: Preconviction Indigent Defense Reform Litigation in Hurrell-Harring and Duncan*, 45 U.C. Davis L. Rev. 193, 202-11

(2011); *Hurrell-Harring v. State*, 930 N.E.2d 217, 220-27 & n.5 (N.Y. 2010). It is obvious that few lawyers have experience litigating actions involving systemic Sixth Amendment violations.

Despite the substantial risks presented to their firms, Matt Zuchetto and Toby Marshall endeavored to pursue Plaintiffs' claims on a contingent fee basis after a thorough investigation of the Cities' public defense system uncovered systemic and chronic violations of the right to counsel. Marshall Decl. ¶¶ 24-25. Once the case was filed, the ACLU of Washington and its cooperating attorneys at Perkins Coie offered to join in the representation, agreeing to the same substantial risks and bringing with them significant experience and resources.⁴ *Id.* ¶ 26. For example, attorneys Nancy Talner of the ACLU and Breena Roos of Perkins Coie had previously litigated one of the few successful indigent defense cases brought in state court and obtained a settlement after achieving class certification and partial summary judgment. *Id.*

From the outset, Class Counsel offered to discuss a resolution of the matter through compromise and settlement, but the offers were rejected. Marshall Decl. ¶¶ 27, 29. The Cities chose instead to vigorously defend their unlawful practices, and the positions they took compounded the hours required to prosecute the Class claims. *Id.* The Cities maintained throughout the case and during trial that their public defense system met constitutional standards for the right to counsel, even when two part-time attorneys were handling more than 1,000 cases each. Indeed, rather than address the problems detailed in Plaintiffs' complaint and the briefing before the Court, the Cities went in the opposite direction—for example, amending “ordinance[s] related to the provision of public defender services” in order to “remov[e] what little ‘teeth’ the previous ordinances had.” Dkt. No. 325 at 15:23 –16:2.

After a full trial on the merits, this Court declared that the certified Class of “indigent criminal defendants in Mount Vernon and Burlington are systematically deprived of the assistance of counsel at critical stages of the prosecution and that municipal policymakers have

⁴ Perkins Coie agreed to assist the ACLU of Washington on a pro bono basis. The Ninth Circuit has held that attorneys' fees should be paid for pro bono work in civil rights cases. See *United States v. \$12,248 U.S. Currency*, 957 F.2d 1513 (9th Cir. 1991) (affirming trial court's determination that award of fees for pro bono work “truly serves the public policy rationale” of civil rights fee-shifting statute).

made deliberate choices regarding the funding, contracting, and monitoring of the public defense system that directly and predictably caused the deprivation.” Dkt. No. 325 at 2:8-12. The Court also granted significant and extensive injunctive relief that, among other things, ordered the Cities to “re-evaluate their existing contract for the provision of public defense,” to “hire one part-time Public Defense Supervisor to work at least twenty hours per week,” to periodically provide randomly selected case files to Class Counsel “so that they may evaluate the Cities’ compliance” with the Court’s order. *Id.* at 18:16-21, 19:2-3, 22:14-17. The Public Defense Supervisor will oversee and evaluate the Cities’ public defense system, tracking and analyzing numerous subjective and objective factors and reporting every six months to Class Counsel. *Id.* at 19:15 – 22:13. The Court will maintain jurisdiction over the case for three years so that Class Counsel may seek additional relief if necessary. *Id.* at 22:17-19.

Class Counsel achieved an excellent result in this lawsuit. Preparing for and navigating the many defenses to this successful outcome required great skill, knowledge, experience, and hard work. Accordingly, Class Counsel are entitled to the requested fees.

4. Class Counsel Have Exercised Billing Judgment and Reduced Their Fees Appropriately to Exclude Any Unnecessary Duplication or Inefficiency

A court may reduce the overall number of hours only when it makes specific findings that the work performed was “unnecessarily duplicative.” *Moreno v. City of Sacramento*, 534 F.3d 1106, 1113 (9th Cir. 2008) (emphasis in original). “One certainly expects some degree of duplication as an inherent part of the process. There is no reason why the lawyer should perform this necessary work for free.” *Id.* at 1112 (emphasis in original). A court should be particularly reluctant to reduce hours for duplication where, as here, counsel handled the matter on a contingency fee basis. *Id.* As the Ninth Circuit has noted, “lawyers are not likely to spend unnecessary time on contingency cases in the hope of inflating their fees. The payoff is too uncertain, as to both the result and the amount of the fee.” *Id.* Thus, “[b]y and large, the court should defer to the winning lawyer’s professional judgment as to how much time was required to spend on the case; after all, he won, and might not have, had he been more of a slacker.” *Id.*

Class Counsel took care to best utilize the various talents of the lawyers and staff involved to efficiently manage and prosecute this case. Nevertheless, in computing their lodestar amount Class Counsel carefully exercised billing judgment and made reductions where time arguably could have been more efficiently spent. Marshall Decl. ¶¶ 17-18; Zuchetto Decl. ¶ 19; Dunne Decl. ¶ 14. As a result, the fees sought by Terrell Marshall Daudt & Willie PLLC represent a reduction of 3.5 percent from the firm's recorded time on the matter; the fees sought by The Scott Law Group, P.S. represent a reduction of 3.3 percent from the firm's recorded time on the matter; and the fees sought by the ACLU-WA for itself and its cooperating attorneys represent a reduction of 29 percent from the time recorded on the matter. Marshall Decl. ¶ 18; Zuchetto Decl. ¶¶ 15, 19; Dunne Decl. ¶ 14. Thus, Class Counsel's fee request is a conservative lodestar (less than 82 percent of actual recorded time) based on work that was reasonably and necessarily expended to secure the constitutional rights of the Class.⁵

5. The Time Class Counsel Spent Preparing This Motion Was Reasonable

Time spent establishing the right to a fee award is compensable. *Camacho*, 523 F.3d at 981-82. In determining these additional fees, the Court applies the same lodestar analysis outlined above. *Id.* at 982. A discount or flat-fee award is inappropriate, particularly where the attorneys preparing the application have experience putting together such requests. *Id.*

As set forth in the declarations of Marshall, Zuchetto, and Dunne and detailed in Appendix C to this motion, the fees incurred in preparing this motion and the accompanying submissions were reasonable and necessary. Marshall Decl. ¶ 31; Zuchetto Decl. ¶ 12; Dunne Decl. ¶ 14. Thus, Class Counsel are entitled to an award that includes those fees, which currently amount to \$29,493.00.⁶

⁵ Class Counsel will incur additional fees for work performed in this case, including work associated with reviewing the Public Defense Supervisor's biannual reports and the Cities' production of randomly selected case files. See Dkt. No. 325 at 22:1-24. Because it is not possible at this time to estimate the extent of this work, Class Counsel reserve the right to move for additional fees in the future.

⁶ If the Cities object to or oppose either motion, Class Counsel will incur additional fees for the preparation of a reply. In that event, Class Counsel will revise the amount requested.

C. Class Counsel Are Entitled to Recover Reasonable Litigation Expenses

Under section 1988 and Rule 54(d)(1), Plaintiffs “may recover as part of the award of attorney’s fees those out-of-pocket expenses that ‘would normally be charged to a fee paying client.’” *Harris*, 24 F.3d at 20 (quoting *Chalmers v. City of Los Angeles*, 796 F.2d 1205, 1216 n.7 (9th Cir. 1986)) (approving recovery of expenses such as “service of summons and complaint, service of trial subpoenas, fee for defense expert at deposition, postage, investigator, copying costs, hotel bills, meals, messenger service and . . . record reproduction”). The reasonable expenses incurred in this litigation (other than taxable costs being sought separately under 28 U.S.C. § 1920) are summarized in the declarations of Class Counsel and consolidated for the Court’s reference as Appendix B to this motion.⁷ See Marshall Decl., ¶ 23; Zuchetto Decl. ¶ 20; Dunne Decl. ¶ 16; Williams Decl. ¶ 13. These expenses are the type of expenses customarily charged to and paid by hourly clients. Thus, Class Counsel are entitled to an award reimbursing them for those expenses, which total \$43,496.50.

D. It Is Unnecessary to Provide Notice of This Motion to the Class

Rule 23 provides that in a certified class action, the district court may award reasonable attorneys’ fees and nontaxable expenses as authorized by law. Fed. R. Civ. P. 23(h). The claim for any such award must be made by motion under Rule 54(d)(2). Fed. R. Civ. P. 23(h)(1). The motion is usually “directed to class members in a reasonable manner.” *Id.* “In adjudicated class actions,” however, “the court may calibrate the notice to avoid undue expense.” Fed. R. Civ. P. 23 advisory committee’s note (2003).

Class Counsel searched case law for interpretations of the notice provision and comments by the advisory committee, but the effort was to no avail. Two secondary sources briefly address the issue, and both suggest that notice can be avoided altogether in certain situations. See 3 William B. Rubenstein, *Newberg on Class Actions* § 8:23 (5th ed. 2013)

⁷ To the extent any of the taxable costs requested in Plaintiffs’ Motion for Costs are denied, Plaintiffs respectfully request that those costs be awarded as non-taxable litigation expenses. The costs sought as taxable are detailed and supported in the declarations accompanying Plaintiffs’ Motion for Costs.

(finding advisory committee’s “rather cryptic statement likely reflects the . . . conclusion that in the rare case that is actually adjudicated, the court has a strong sense of counsel’s contributions and is better situated to monitor the fee award itself, hence lessening the need [for notice]”); Manual for Complex Litigation (Fourth) § 21.722 (2013) (notice is necessary “in cases involving settlement review” but may be unnecessary in “adjudicated class actions”).

For several reasons, notice to the Class of this motion is unnecessary. First, the Court certified the case under Rule 23(b)(2), which—in contrast to Rule 23(b)(3)—does not require notice. *See* Dkt. No. 143 at 7:7-16; Fed. R. Civ. P. 23(c)(2)(A). Second, no monetary relief was sought, and an award of fees and expenses will have to be paid by the Cities rather than from a common fund to which the Class would otherwise be entitled. Third, the case was fully adjudicated and the Class obtained complete declaratory and injunctive relief; thus, there is no possibility of a conflict between the interests of the Class and those of Class Counsel.

Plaintiffs respectfully ask the Court to hold that notice is unnecessary under these circumstances. The general purpose of notice is to allow class members an opportunity to object, and here there are no grounds for such an objection. If the Court finds notice must be sent, Plaintiffs respectfully ask the Court to order the Cities to pay all expenses associated with publishing notice in a local newspaper or by other means that the Court deems appropriate.⁸

IV. CONCLUSION

“Where a plaintiff has obtained excellent results, his attorney should recover a fully compensatory fee.” *Hensley*, 461 U.S. at 435 (“The result is what matters.”). Here, Plaintiffs have secured substantial and significant injunctive relief that ensures thousands of indigent defendants will receive the right to counsel provided for under the Sixth Amendment of the United States Constitution. Accordingly, Plaintiffs respectfully request an award to Class Counsel of \$2,425,916.52 in attorneys’ fees and \$43,496.50 in litigation expenses.

⁸ If notice is deemed necessary, the language and form of the publication should be mutually approved by the parties or approved by the Court. The notice should issue within three weeks of the Court’s order and should allow Class members at least 30 days in which to submit objections. A fairness hearing should be scheduled on the motion for fees and expenses, and the date, time, and location of that hearing should be included in the notice.

1 DATED this 18th day of December, 2013.

2
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CERTIFICATE OF SERVICE

I, Toby J. Marshall, hereby certify that on December 18, 2013, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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1 DATED this 18th day of December, 2013.

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— APPENDIX A —

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2	08/06/10	Zuchetto	1.00	\$ 330.00	\$ 330.00	Research re potential class action re indigent defense funding.
3	08/10/10	Marshall	0.70	\$ 375.00	\$ 262.50	Researched and analyzed issues regarding systemic indigent defense reform [.7].
4	08/10/10	Zuchetto	0.75	\$ 330.00	\$ 247.50	Research re potential class action.
5	08/11/10	Marshall	0.50	\$ 375.00	\$ 187.50	Researched and analyzed issues regarding systemic indigent defense reform [.5].
6	08/11/10	Zuchetto	0.50	\$ 330.00	\$ 165.00	Research re potential class action.
7	08/12/10	Marshall	1.50	\$ 375.00	\$ 562.50	Researched and analyzed issues regarding systemic indigent defense reform [1.5].
8	08/12/10	Zuchetto	2.00	\$ 330.00	\$ 660.00	E-mail consulting expert re potential class action (.5); Research re indigent defense class action (1.5).
9	08/13/10	Zuchetto	1.75	\$ 330.00	\$ 577.50	Review/analyze e-mail from consulting expert re potential class (.25); Research re: indigent defense class action (1.5).
10	08/16/10	Zuchetto	0.25	\$ 330.00	\$ 82.50	Research re potential class action re funding of indigent defense.
11	08/17/10	Marshall	1.50	\$ 375.00	\$ 562.50	Researched and analyzed issues regarding systemic indigent defense reform [1.5].
12	08/17/10	Zuchetto	1.75	\$ 330.00	\$ 577.50	Research re potential class re indigent defense.
13	09/07/10	Marshall	0.50	\$ 375.00	\$ 187.50	Telephone conference and email correspondence with co-counsel regarding systemic indigent defense reform [.5].
14	09/07/10	Zuchetto	0.75	\$ 330.00	\$ 247.50	E-mail consulting expert re potential class (.25); E-mail co-counsel/discuss re potential class (.5).
15	09/08/10	Zuchetto	0.25	\$ 330.00	\$ 82.50	E-mail co-counsel re potential class.
16	09/27/10	Zuchetto	0.20	\$ 330.00	\$ 66.00	Review e-mail from consulting expert re potential indigent defense.
17	09/28/10	Marshall	0.30	\$ 375.00	\$ 112.50	Telephone conference with co-counsel regarding systemic indigent defense reform and analyzed issues regarding same [.3].
18	09/28/10	Marshall	5.40	\$ 375.00	\$ 2,025.00	Researched and analyzed issues regarding potential civil rights litigation over failure of Washington municipalities to provide indigent defendants with sixth amendment right to representation [5.4].
19	09/28/10	Zuchetto	0.75	\$ 330.00	\$ 247.50	Discuss potential case w/ Marshall (.25); Review e-mail from consulting expert and respond re same (.5).
20	09/29/10	Marshall	0.30	\$ 375.00	\$ 112.50	Email correspondence with co-counsel regarding research materials on indigent defense litigation [.3].
21	09/29/10	Zuchetto	2.00	\$ 330.00	\$ 660.00	Research re potential class (1.75); E-mail co-counsel re same (.25).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
22	09/30/10	Marshall	0.20	\$ 375.00	\$ 75.00	Telephone conference with co-counsel regarding indigent defense litigation [.2].
23	11/04/10	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding potential class action [.2].
24	11/05/10	Zuchetto	0.25	\$ 330.00	\$ 82.50	E-mail co-counsel re potential case.
25	11/08/10	Marshall	0.80	\$ 375.00	\$ 300.00	Researched and analyzed issues regarding potential indigent defense litigation [.4]; telephone conferences with co-counsel and consulting expert regarding same [.4].
26	11/08/10	Zuchetto	1.25	\$ 330.00	\$ 412.50	Call to consulting expert re potential indigent defense class and prep. for same.
27	11/16/10	Zuchetto	1.00	\$ 330.00	\$ 330.00	Research re potential class re indigent defense funding.
28	11/29/10	Marshall	0.90	\$ 375.00	\$ 337.50	Telephone conferences with co-counsel and consulting expert regarding indigent defense litigation investigations [.9].
29	11/29/10	Bledsoe	0.25	\$ 120.00	\$ 30.00	Review/research arraignment process for Zuchetto
30	11/29/10	Zuchetto	1.50	\$ 330.00	\$ 495.00	Prep. for meeting w/ consulting expert (1.0); E-mail re same (.5).
31	11/30/10	Zuchetto	2.00	\$ 330.00	\$ 660.00	Research re potential class.
32	12/03/10	Bledsoe	2.50	\$ 120.00	\$ 300.00	Review/research arraignment process for Zuchetto.
33	12/03/10	Zuchetto	0.50	\$ 330.00	\$ 165.00	E-mail BB re status update.
34	12/08/10	Bledsoe	3.75	\$ 120.00	\$ 450.00	Continue investigation/research re arraignment practices.
35	12/09/10	Bledsoe	3.00	\$ 120.00	\$ 360.00	Continue investigation/research re arraignment practices.
36	12/15/10	Marshall	0.20	\$ 375.00	\$ 75.00	Email correspondence with consulting expert regarding investigations [.2].
37	12/15/10	Zuchetto	0.50	\$ 330.00	\$ 165.00	E-mail co-counsel re potential case.
38	12/17/10	Zuchetto	0.50	\$ 330.00	\$ 165.00	Research re potential case.
39	12/20/10	Marshall	0.60	\$ 375.00	\$ 225.00	Telephone conferences with consulting expert and co-counsel regarding investigations and action items [.6].
40	12/20/10	Zuchetto	1.50	\$ 330.00	\$ 495.00	Conference call w/ consulting expert and co-counsel re potential case and prepare for same.
41	12/21/10	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review/analyze consulting expert article re potential case.
42	01/17/11	Marshall	0.60	\$ 375.00	\$ 225.00	Reviewed research materials in preparation for visit to Mt. Vernon municipal court to observe arraignments [.6].
43	01/18/11	Marshall	5.30	\$ 375.00	\$ 1,987.50	Reviewed materials in preparation for trip to Mt. Vernon to view arraignments hearing [.5]; to Mt. Vernon to view arraignments hearing [4.8].
44	01/18/11	Zuchetto	0.25	\$ 330.00	\$ 82.50	Discuss potential case w/ co-counsel and review e-mail from consulting expert re same.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
45	01/24/11	Boschen	1.40	\$ 150.00	\$ 210.00	Reviewed memos on arraignment observation; personal conference regarding same; prepared arraignment observation form.
46	01/24/11	Marshall	2.30	\$ 375.00	\$ 862.50	Worked on factual background issues [.4]; drafted memorandum regarding observations at Mt. Vernon court hearing [1.4]; email correspondence with co-counsel and consulting expert regarding same [.2]; worked on task list and plan for completing action items [.3].
47	01/25/11	Boschen	4.00	\$ 150.00	\$ 600.00	Travel to Mount Vernon Municipal Court for arraignment proceedings; observed arraignment proceedings; return travel from arraignment proceedings.
48	01/26/11	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on action item issues [.3].
49	01/31/11	Boschen	0.50	\$ 150.00	\$ 75.00	Summarized court observation; telephone conference regarding same.
50	01/31/11	Marshall	1.30	\$ 375.00	\$ 487.50	Worked on file management issues [.2]; telephone conference with consulting expert regarding factual background and legal issues [.4]; telephone conference with co-counsel regarding same [.7].
51	01/31/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Call w/ consulting expert re potential case and preparation re same.
52	02/02/11	Boschen	0.50	\$ 150.00	\$ 75.00	Researched hearing and trial calendars for Mount Vernon and Burlington municipal courts; reviewed recording of Mount Vernon hearing; personal conference regarding court observations.
53	02/02/11	Zuchetto	0.25	\$ 330.00	\$ 82.50	E-mail from consulting expert/Marshall re phone conference.
54	02/07/11	Boschen	0.10	\$ 150.00	\$ 15.00	Telephone conference with Mount Vernon Municipal Court regarding hearing schedule; email correspondence regarding same.
55	02/07/11	Zuchetto	0.10	\$ 330.00	\$ 33.00	E-mail from co-counsel re Mt. Vernon calendar.
56	02/08/11	Boschen	9.30	\$ 150.00	\$ 1,395.00	Travel to and from Mount Vernon Municipal court; observed court proceedings.
57	02/09/11	Boschen	2.00	\$ 150.00	\$ 300.00	Drafted summary of court observation.
58	02/10/11	Boschen	1.80	\$ 150.00	\$ 270.00	Conference call with consulting and co-counsel regarding court observations and next steps; personal conference regarding same.
59	02/10/11	Marshall	2.50	\$ 375.00	\$ 937.50	Worked on memorandum regarding Ms. Boschen's observations from visit to Mount Vernon [1.3]; telephone conference with various individuals regarding factual background issues [.5]; worked on same [.7].
60	02/10/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Review memo. re Mt. Vernon arraignments and participate in conference call re potential case.
61	02/11/11	Zuchetto	0.75	\$ 330.00	\$ 247.50	E-mail consulting expert re meeting (.25); Research re potential case (.5).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
62	02/14/11	Marshall	0.80	\$ 375.00	\$ 300.00	Meeting with co-counsel regarding case strategy issues [.5]; telephone conference with consulting expert regarding factual background issues [.3].
63	02/14/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Meeting w/ co-counsel re potential case and call to consulting expert re same.
64	02/15/11	Boschen	0.10	\$ 150.00	\$ 15.00	Telephone conference with Burlington Municipal Court regarding hearing calendar; correspondence regarding same.
65	02/15/11	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on case strategy issues [.2].
66	02/16/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review e-mail from consulting expert re potential case.
67	02/22/11	Marshall	0.20	\$ 375.00	\$ 75.00	Telephone calls from co-counsel regarding action items [.2].
68	02/22/11	Zuchetto	0.25	\$ 330.00	\$ 82.50	Discuss potential case w/ co-counsel and e-mail consulting expert re scheduling new meeting.
69	02/25/11	Zuchetto	7.00	\$ 330.00	\$ 2,310.00	Meet with co-counsel and other attorneys involved in similar cases and consulting expert, discuss case strategy (2.0); travel to Seattle re same (5.0).
70	03/01/11	Marshall	2.20	\$ 375.00	\$ 825.00	Telephone call from co-counsel regarding case strategy issues [.3]; worked on same [.2]; telephone conference with witness regarding factual background issues [.4]; reviewed documents produced by Mount Vernon in response to public disclosure request [1.3].
71	03/01/11	Zuchetto	1.80	\$ 330.00	\$ 594.00	Call w/ OAC personnel (.3); Review documents re contract and complaints and discuss w/ co-counsel (1.5).
72	03/02/11	Zuchetto	0.75	\$ 330.00	\$ 247.50	Draft notes re call w/ witness.
73	03/03/11	Boschen	0.60	\$ 150.00	\$ 90.00	Telephone conferences with witness regarding jail visit and bar complaints; personal conference regarding same.
74	03/03/11	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on case strategy issues [.2].
75	03/04/11	Marshall	1.60	\$ 375.00	\$ 600.00	Worked on case strategy issues [4]; telephone conference with co-counsel regarding same [.8]; telephone conference with indigent defendant regarding factual background issues [.4].
76	03/04/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Call w/ witness and debrief with co-counsel re same.
77	03/06/11	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on case strategy issues [.2].
78	03/07/11	Zuchetto	1.30	\$ 330.00	\$ 429.00	Research re potential case.
79	03/08/11	Boschen	2.30	\$ 150.00	\$ 345.00	Researched and analyzed caseload data from Washington Courts website; reviewed Mount Vernon and Burlington public defender contract; personal conference regarding potential representative; telephone call to Mount Vernon police department regarding public disclosure request.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
80	03/08/11	Marshall	0.60	\$ 375.00	\$ 225.00	Worked on case strategy and factual background issues [.3]; telephone conference with co-counsel regarding same [.3].
81	03/09/11	Boschen	8.00	\$ 150.00	\$ 1,200.00	Travel to and from Skagit County Jail; meeting with witness and inmate interviews regarding indigent defense; reviewed PDR documents; queried Sybrandy and Witt bar numbers in Washington Courts for caseload analyses; telephone conference regarding same.
82	03/09/11	Marshall	1.30	\$ 375.00	\$ 487.50	Telephone conferences with co-counsel and consulting expert regarding various issues [1.3].
83	03/09/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Call w/ consulting expert re status (.25); Research re RPC 4.2 (.75).
84	03/10/11	Boschen	0.90	\$ 150.00	\$ 135.00	Telephone conference regarding jail visit and next steps; personal conference regarding same.
85	03/10/11	Marshall	1.20	\$ 375.00	\$ 450.00	Telephone conference with consulting experts, witness, and co-counsel regarding various issues [.7]; analyzed issues regarding same [.2]; telephone conference with co-counsel regarding same [.3].
86	03/10/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Call w/ team re investigation.
87	03/11/11	Marshall	1.20	\$ 375.00	\$ 450.00	Telephone conference with co-counsel regarding case strategy issues [.7]; telephone conference with indigent defendant and co-counsel regarding factual background issues [.5].
88	03/11/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Call w/ class member (.75); Discuss case strategy/issues w/ co-counsel (.5); Research re Sybrandy (.75).
89	03/14/11	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on factual background issues [.2].
90	03/14/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Research re RPC 4.2 and contacting clients, and injunctive relief.
91	03/15/11	Marshall	1.60	\$ 375.00	\$ 600.00	Researched and analyzed issues regarding legal claims [.8]; researched and analyzed issues regarding attorney-client privilege [.5]; researched and analyzed issues regarding recording of public court hearings [.3].
92	03/15/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Research re RPC 4.2 and sybrandy/witt and administrative exhaustion requirements.
93	03/16/11	Zuchetto	3.00	\$ 330.00	\$ 990.00	Research re admin. exhaustion, RPC 4.2.
94	03/17/11	Marshall	0.50	\$ 375.00	\$ 187.50	Reviewed recent decision regarding ineffective assistance of counsel in relation to deportation issues [.2]; analyzed issues regarding same [.3].
95	03/17/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review new WASCT case re failing to advise of immigration consequences.
96	03/18/11	Marshall	2.00	\$ 375.00	\$ 750.00	Telephone conferences with witness and co-counsel regarding factual background issues [.4]; left message with indigent defendant regarding same [.1]; worked on case strategy issues [1.5].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
97	03/18/11	Zuchetto	1.75	\$ 330.00	\$ 577.50	Discuss strategy w/ co-counsel (1.0); call to class members (.5); call to witness (.25).
98	03/21/11	Marshall	0.20	\$ 375.00	\$ 75.00	Email correspondence with co-counsel regarding witness issues [.2].
99	03/22/11	Zuchetto	0.10	\$ 330.00	\$ 33.00	E-mail co-counsel re call to class member.
100	03/23/11	Zuchetto	0.75	\$ 330.00	\$ 247.50	E-mail co-counsel re class member call (.25); Review complaint documents (.5).
101	03/25/11	Marshall	0.50	\$ 375.00	\$ 187.50	Telephone conference with co-counsel and indigent defendant regarding factual background issues [.4]; left message with witness regarding same [.1].
102	03/25/11	Bledsoe	0.75	\$ 120.00	\$ 90.00	Worked on spreadsheet of complaints re Witt and Sybrandy.
103	03/25/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Call to class member and explain not representing on damages claim (.25); Work on complaint spreadsheet (.25).
104	03/28/11	Marshall	0.20	\$ 375.00	\$ 75.00	Telephone call from witness regarding factual background issues [.2].
105	03/28/11	Bledsoe	1.00	\$ 120.00	\$ 120.00	Continue work on spreadsheet of complaints for Witt and Sybrandy.
106	03/29/11	Boschen	0.50	\$ 150.00	\$ 75.00	Correspondence and telephone conference regarding driving directions and parking for meeting.
107	03/29/11	Marshall	0.60	\$ 375.00	\$ 225.00	Analyzed issues regarding factual background [.6].
108	03/29/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review 1983 case from SCOTUS (.5); Review complaints and work on organization of same (.5).
109	03/31/11	Boschen	0.80	\$ 150.00	\$ 120.00	Reviewed complaints, summaries, and contracts; correspondence regarding same.
110	03/31/11	Marshall	3.20	\$ 375.00	\$ 1,200.00	Reviewed complaints and related documents [1.4]; worked on case management notebook [.1]; worked on gathering materials for preparation of complaint [1.1]; telephone conference with co-counsel regarding factual background and case strategy issues [.6].
111	03/31/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Work on complaint/investigation re Sybrandy/Witt.
112	04/01/11	Boschen	2.90	\$ 150.00	\$ 435.00	Meeting regarding ongoing investigation; preparation for same; drafted task list.
113	04/01/11	Marshall	3.80	\$ 375.00	\$ 1,425.00	Prepared for factual background meeting [.3]; meeting with consulting experts and witness and telephone conference with co-counsel regarding factual background issues [3.0]; telephone conference with co-counsel regarding case strategy issues and drafting of complaint [.5].
114	04/01/11	Bledsoe	2.00	\$ 120.00	\$ 240.00	Work on Witt and Sybrandy schedule spreadsheets.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
115	04/01/11	Bergland	0.50	\$ 190.00	\$ 95.00	Office conference with Zuchetto regarding information we need to track from complainants and database (.2); office conference with BB re same (.1); review exemplar Complaint forms (.2).
116	04/01/11	Zuchetto	4.00	\$ 330.00	\$ 1,320.00	Work on Sybrandy/Witt docket/caseload research (3.5); call w/co-counsel and consulting expert re investigation (.5).
117	04/02/11	Marshall	0.60	\$ 375.00	\$ 225.00	Worked on task list [.1]; worked on case management issues [.2]; reviewed guidelines on indigent defense caseloads [.3].
118	04/04/11	Boschen	0.40	\$ 150.00	\$ 60.00	Telephone conferences with Mount Vernon Municipal Court regarding hearings, recordings, and public disclosure requests.
119	04/04/11	Marshall	0.30	\$ 375.00	\$ 112.50	Researched and analyzed issues regarding factual background and court hearings related to indigent defendant [.3].
120	04/04/11	Bledsoe	4.25	\$ 120.00	\$ 510.00	Continue work on Witt and Sybrandy schedule spreadsheets.
121	04/05/11	Bledsoe	5.00	\$ 120.00	\$ 600.00	Work on Witt and Sybrandy schedule spreadsheets.
122	04/06/11	Boschen	3.60	\$ 150.00	\$ 540.00	Telephone conference with Mount Vernon Municipal Court regarding recordings; correspondence and personal conferences regarding same; telephone calls to indigent defendant; researched indigent defendant contact information on Accurint; drafted public disclosure requests to Skagit County and the Mount Vernon Municipal Court.
123	04/06/11	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed factual background issues [.2].
124	04/06/11	Bledsoe	3.00	\$ 120.00	\$ 360.00	Work on Witt and Sybrandy schedule spreadsheets.
125	04/07/11	Bledsoe	1.50	\$ 120.00	\$ 180.00	Complete work on Witt and Sybrandy schedule spreadsheets and e-mail final version to Zuchetto.
126	04/11/11	Murray	0.30	\$ 285.00	\$ 85.50	Reviewed complaint; personal conference regarding potential class representative.
127	04/11/11	Marshall	0.30	\$ 375.00	\$ 112.50	Analyzed issues regarding case strategy [.1]; researched and analyzed issues regarding source of funding for indigent services [.1]; email from consulting expert regarding declaration filed in New Hampshire case [.1].
128	04/12/11	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on factual background issues [.3].
129	04/13/11	Boschen	0.70	\$ 150.00	\$ 105.00	Finalized and faxed public disclosure requests to Mount Vernon Municipal Court and Skagit County Records Management [.5]; telephone conference with Skagit County Records Management regarding same [.1]; telephone call to Office of Assigned Counsel regarding same [.1].
130	04/13/11	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on public disclosure requests [.4].
131	04/13/11	Zuchetto	1.25	\$ 330.00	\$ 412.50	Review expert declaration, research re potential case.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
132	04/14/11	Boschen	0.10	\$ 150.00	\$ 15.00	Telephone conference regarding public defender contract [.1].
133	04/18/11	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on case strategy issues [.3].
134	04/18/11	Zuchetto	0.25	\$ 330.00	\$ 82.50	Read e-mail from co-counsel re standing and research re same.
135	04/19/11	Boschen	1.70	\$ 150.00	\$ 255.00	Scanned, labeled and produced documents produced in response to public disclosure requests [1.1]; updated task list and correspondence regarding same [.2]; reviewed documents produced in response to public disclosure requests [.4];
136	04/19/11	Marshall	8.70	\$ 375.00	\$ 3,262.50	Reviewed documents from Mount Vernon and Burlington [1.5]; worked on complaint [4.3]; researched and analyzed issues regarding same [2.0]; email correspondence and telephone conferences with co-counsel regarding same [.5]; telephone conference with witness and co-counsel regarding factual background issues [.4].
137	04/19/11	Zuchetto	1.75	\$ 330.00	\$ 577.50	Work on investigation (.5); call w/ Tein (.25); Discuss same w/ co-counsel (.25); Research re Gideon/misdemeanors (.75).
138	04/20/11	Boschen	3.90	\$ 150.00	\$ 585.00	Continued reviewing public disclosure request documents and correspondence regarding same [1.2]; telephone conference regarding complaint and task list [.7]; correspondence transmitting public disclosure request production [.1]; telephone conference regarding referrals and public disclosure request [.3]; telephone conferences and correspondence with Skagit County office of records management regarding public disclosure request [.2]; telephone conferences and email correspondence with Mount Vernon Municipal Court and Skagit County clerk regarding public disclosure request [.2]; email correspondence regarding referrals, conflicts, and complaints relating to public defenders [.6]; drafted public disclosure request to Burlington City Administrator and correspondence regarding same [.6].
139	04/20/11	Murray	0.20	\$ 285.00	\$ 57.00	Telephone conference with potential class representative.
140	04/20/11	Marshall	4.20	\$ 375.00	\$ 1,575.00	Worked on complaint [2.0]; researched and analyzed issues regarding same [.5]; reviewed documents obtained through public disclosure requests [.5]; telephone conference with co-counsel and consulting expert regarding factual background and expert issues [.7]; worked on public disclosure request for bid materials [.2]; worked on case strategy issues [.2]; email correspondence with co-counsel regarding same [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
141	04/20/11	Zuchetto	2.50	\$ 330.00	\$ 825.00	Call w/ co-counsel, consulting expert and Nancy re investigation (1.0); Research re authorities (1.5).
142	04/21/11	Murray	0.50	\$ 285.00	\$ 142.50	Correspondence with potential class representative.
143	04/21/11	Marshall	3.30	\$ 375.00	\$ 1,237.50	Worked on complaint [2.6]; researched and analyzed issues regarding same [.7].
144	04/21/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Research re authority cited by expert (1.0); Discuss caseload reqs. w/ co-counsel (.5).
145	04/22/11	Marshall	4.00	\$ 375.00	\$ 1,500.00	Worked on complaint [2.0]; researched and analyzed issues regarding same [1.3]; reviewed documents from public disclosure requests [.7].
146	04/22/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Research re authority cited by our expert on caseloads.
147	04/25/11	Murray	0.30	\$ 285.00	\$ 85.50	Telephone conference with potential class representative.
148	04/25/11	Marshall	5.00	\$ 375.00	\$ 1,875.00	Worked on complaint [2.6]; researched and analyzed issues regarding same [1.7]; reviewed documents for same [.5]; telephone conference with co-counsel regarding same [.2].
149	04/26/11	Boschen	0.50	\$ 150.00	\$ 75.00	Worked on public disclosure request issues [.2]; commenced reviewing and indexing documents produced in response to public disclosure request to the Office of Public Defense [.3].
150	04/26/11	Marshall	1.00	\$ 375.00	\$ 375.00	Worked on complaint [1.0].
151	04/27/11	Boschen	0.20	\$ 150.00	\$ 30.00	Revised PDR to Skagit County; correspondence regarding same.
152	04/27/11	Marshall	5.80	\$ 375.00	\$ 2,175.00	Worked on complaint [3.0]; researched and analyzed issues regarding same [2.8].
153	04/28/11	Boschen	1.10	\$ 150.00	\$ 165.00	Filed correspondence, production and standards; reviewed request for proposal; revised PDR letter to City of Burlington; correspondence regarding same; Bates stamped supplemental production; correspondence regarding same.
154	04/28/11	Marshall	4.30	\$ 375.00	\$ 1,612.50	Worked on complaint [1.8]; researched and analyzed issues regarding same [2.0]; telephone conference with co-counsel regarding same [.5].
155	04/28/11	Zuchetto	1.75	\$ 330.00	\$ 577.50	E-mail re PDR request, contents and timing issues (.75); Work on complaint (1.0).
156	04/29/11	Boschen	0.60	\$ 150.00	\$ 90.00	Telephone conference with Skagit County regarding public records request [.1]; prepared check request and letter to Mount Vernon Municipal Court regarding records request [.5].
157	04/29/11	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on complaint [.2]; email to co-counsel regarding same [.1].
158	04/29/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Work on complaint.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
159	05/02/11	Boschen	0.50	\$ 150.00	\$ 75.00	Continued reviewing and indexing PDR documents.
160	05/02/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review and analyze complaint and e-mail co-counsel re same.
161	05/03/11	Marshall	1.20	\$ 375.00	\$ 450.00	Worked on case strategy issues [.2]; telephone conference with co-counsel regarding complaint [.2]; worked on same [.8].
162	05/03/11	Zuchetto	1.25	\$ 330.00	\$ 412.50	Review and analyze bar complaint re Sybrandy (.5); Review, edit and analyze draft complaint (.75).
163	05/05/11	Boschen	0.40	\$ 150.00	\$ 60.00	Worked on summarizing case load data.
164	05/05/11	Marshall	0.80	\$ 375.00	\$ 300.00	Worked on complaint and related issues [.3]; telephone conference with co-counsel regarding same [.5].
165	05/05/11	Zuchetto	0.75	\$ 330.00	\$ 247.50	E-mail co-counsel re proposed changes to complaint and discuss same.
166	05/06/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Research re 1983 admin. exhaustion reqs.
167	05/09/11	Boschen	0.90	\$ 150.00	\$ 135.00	Telephone conference with witness regarding public disclosure request and correspondence regarding same [.3]; continued caseload analysis [.6].
168	05/10/11	Boschen	8.00	\$ 150.00	\$ 1,200.00	Completed caseload analysis; commenced reviewing Mount Vernon and Skagit PDR documents; prepared copies of PDR documents for consulting expert.
169	05/10/11	Marshall	0.60	\$ 375.00	\$ 225.00	Analyzed issues regarding caseload limits [.4]; email correspondence with co-counsel regarding case strategy issues [.2].
170	05/10/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Research and analyze Sybrandy/Witt caseloads.
171	05/13/11	Marshall	1.20	\$ 375.00	\$ 450.00	Reviewed documents obtained from Skagit County [1.0]; telephone conference with co-counsel regarding case strategy issues [.2].
172	05/13/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Research new docs. re complaints and caseloads and discuss same w/ co-counsel.
173	05/14/11	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on case management issues [.2].
174	05/17/11	Marshall	2.40	\$ 375.00	\$ 900.00	Reviewed documents obtained from Skagit County [1.3]; worked on complaint [1.1].
175	05/18/11	Boschen	0.90	\$ 150.00	\$ 135.00	Reviewed PDR documents; correspondence and personal conference regarding same[.9].
176	05/18/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Discuss case theory w/ co-counsel (.25); Review Sybrandy documents (.25).
177	05/19/11	Boschen	2.80	\$ 150.00	\$ 420.00	Continued reviewing public disclosure request documents; compressed oversized files for production; correspondence regarding public disclosure request documents; Bates labeled public disclosure request productions.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
178	05/19/11	Marshall	4.70	\$ 375.00	\$ 1,762.50	Email correspondence with witness and co-counsel regarding factual background issues [.1]; researched and analyzed issues regarding representation for purposes of quashing warrants [.2]; worked on factual background issues [.2]; reviewed documents produced by Skagit County [1.5]; worked on complaint [2.0]; researched and analyzed issues regarding caseload limits [.5]; email to co-counsel regarding same [.2].
179	05/19/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review e-mail from co-counsel re draft complaint (.5); Review new material re PDR (.5).
180	05/20/11	Boschen	3.40	\$ 150.00	\$ 510.00	Continued indexing PDR documents [2.2]; conference call regarding investigation [1.2].
181	05/20/11	Marshall	3.40	\$ 375.00	\$ 1,275.00	Worked on complaint [1.3]; email correspondence with co-counsel regarding same [.2]; email to consulting expert regarding same [.1]; worked on file management issues [.1]; telephone conference with consulting experts regarding complaint and factual background issues [1.5]; meeting with co-counsel regarding same [.2].
182	05/20/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Prepare for conference re strategy w/ consulting expert, John S. and co-counsel, and conference re same (1.0); draft e-mail to co-counsel re amend (.5).
183	05/23/11	Kinsey	1.80	\$ 100.00	\$ 180.00	Reviewed and revised complaint.
184	05/23/11	Marshall	3.00	\$ 375.00	\$ 1,125.00	Researched and analyzed issues regarding conflict of interest in city attorney's selection of public defenders [.4]; worked on complaint [1.4]; drafted confirmation of understanding for interviews with indigent defendants [.4]; researched and analyzed issues regarding [.2]; email correspondence with co-counsel regarding same and complaint [.4]; email to consulting expert regarding complaint [.2].
185	05/23/11	Zuchetto	2.75	\$ 330.00	\$ 907.50	Work on complaint (2.0); Call to expert and discuss same w/ co-counsel (.75).
186	05/25/11	Marshall	2.20	\$ 375.00	\$ 825.00	Researched and analyzed issues regarding requirements for submitting demand to attorney general's office [1.7]; worked on case strategy issues [.5].
187	05/26/11	Boschen	0.50	\$ 150.00	\$ 75.00	Personal conference regarding jail visitation.
188	05/26/11	Marshall	4.40	\$ 375.00	\$ 1,650.00	Telephone conference with co-counsel regarding factual background development [.4]; worked on same [3.5]; researched and analyzed issues regarding jail roster data and strategy for locating potential witnesses [.5].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
189	05/27/11	Zuchetto	2.50	\$ 330.00	\$ 825.00	Review and analyze letter to AG and discuss same w/ co-counsel (1.0); Review and analyze fee agreement (1.0); call to consulting expert re complaint (.5).
190	05/30/11	Marshall	2.00	\$ 375.00	\$ 750.00	Reviewed article on distinction between Strickland claims and systemic injunctive relief claims [.8]; researched and analyzed issues regarding same [.3]; worked on revisions to complaint [.3]; email to co-counsel regarding same [.2]; drafted representation agreement for indigent defendants [.3]; email to co-counsel regarding same [.1].
191	05/31/11	Marshall	0.20	\$ 375.00	\$ 75.00	Researched and analyzed issues regarding caseload standards [.2].
192	05/31/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Read and analyze e-mail from expert re Gideon/Hurrell (1.0); Review e-mail from co-counsel re same (1.5); Read and analyze joint rep. agreement (.5).
193	06/01/11	Boschen	1.20	\$ 150.00	\$ 180.00	Personal conferences, telephone conferences and correspondence regarding jail visitation; researched jail visitation requirements and roster.
194	06/01/11	Marshall	0.70	\$ 375.00	\$ 262.50	Worked on case strategy issues [.2]; telephone conference with co-counsel regarding same [.2]; analyzed issues regarding jail roster data [.3].
195	06/01/11	Zuchetto	2.40	\$ 330.00	\$ 792.00	Work on complaint.
196	06/02/11	Boschen	0.20	\$ 150.00	\$ 30.00	Telephone conferences and personal conferences regarding jail visit.
197	06/02/11	Marshall	0.40	\$ 375.00	\$ 150.00	Analyzed issues regarding jail visits and related investigations [.4].
198	06/03/11	Boschen	0.10	\$ 150.00	\$ 15.00	Created index for jail visit.
199	06/03/11	Marshall	0.10	\$ 375.00	\$ 37.50	Worked on preparations for jail visit [.1].
200	06/05/11	Marshall	1.00	\$ 375.00	\$ 375.00	Researched and analyzed issues regarding Skagit Co. jail roster [.6]; worked on index of potential interviewees [.4].
201	06/06/11	Boschen	11.50	\$ 150.00	\$ 1,725.00	Prepared for and traveled to Skagit County Jail for potential class representative interviews; interviewed potential class representatives; returned from Skagit County Jail.
202	06/06/11	Marshall	10.40	\$ 375.00	\$ 3,900.00	Researched and analyzed issues regarding factual background [.8]; to Skagit County jail for interviews [1.2]; interviewed inmates [6.8]; returned from Skagit County jail [1.2]; worked on case strategy issues [.4].
203	06/07/11	Boschen	3.50	\$ 150.00	\$ 525.00	Commenced drafting class representative summaries; reviewed documents and notes; telephone and personal conferences regarding class representatives.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
204	06/07/11	Marshall	3.90	\$ 375.00	\$ 1,462.50	Telephone conferences with co-counsel regarding factual background issues and case strategy [.8]; email correspondence with experts regarding ethical and legal issues [.1]; telephone conference with experts regarding same [1.0]; worked on task list [.4]; researched and analyzed issues regarding conflicts of interest [1.6].
205	06/07/11	Zuchetto	1.75	\$ 330.00	\$ 577.50	Discuss and evaluate class reps. w/ co-counsel (.75); Call w/ potential experts re r/ counsel, standards (1.0).
206	06/08/11	Boschen	8.10	\$ 150.00	\$ 1,215.00	Telephone conferences with Mount Vernon and Burlington and Municipal Courts and ABC Legal Services; telephone call to Clallam County District Court; continued work on class representative summaries; researched class member case histories; travel to Burlington Municipal Court; obtained case files from Burlington Municipal Court; return travel from Burlington Municipal Court; personal conference regarding case files.
207	06/08/11	Marshall	5.40	\$ 375.00	\$ 2,025.00	Worked on case strategy issues [1.0]; telephone conference with co-counsel regarding same [.4]; reviewed case files for plaintiffs [.8]; analyzed issues regarding same [.8]; worked on complaint [2.4].
208	06/08/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Research re WSBA resolution re caseload standards.
209	06/09/11	Kinsey	2.20	\$ 100.00	\$ 220.00	Reviewed, revised and finalized complaint; prepared summons for City of Mt. Vernon; prepared summons to City of Burlington; prepared civil cover sheet; Internet research regarding ABC Legal Services Skagit County deliveries; requested check; telephone conference with ABC Legal Services regarding messenger delivery.
210	06/09/11	Boschen	2.30	\$ 150.00	\$ 345.00	Telephone conference with Mount Vernon Municipal Court regarding case status; correspondence regarding same; reviewed Skagit County documents for information relating to class representatives; prepared exhibits to complaint.
211	06/09/11	Marshall	4.70	\$ 375.00	\$ 1,762.50	Researched and analyzed factual background issues [1.2]; worked on complaint [.6]; telephone conference with Mr. Moon regarding case strategy issues [.3]; telephone conference with co-counsel same [1.1]; telephone conference with consulting expert regarding complaint [.3]; telephone conferences with Ms. Montague and Mr. Wilbur regarding case strategy issues [.6]; worked on case strategy issues [.6].
212	06/09/11	Zuchetto	1.75	\$ 330.00	\$ 577.50	Work on complaint.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
213	06/10/11	Kinsey	0.60	\$ 100.00	\$ 60.00	Compiled finalized version of complaint; email correspondence to Mr. Zuchetto regarding same.
214	06/10/11	Marshall	1.80	\$ 375.00	\$ 675.00	Worked on case strategy issues [.5]; email correspondence with co-counsel regarding same [.1]; telephone call from consulting expert regarding filing of complaint [.2]; researched and analyzed issues regarding substitution of public defense counsel based on conflict of interests [1.0].
215	06/11/11	Marshall	6.30	\$ 375.00	\$ 2,362.50	Researched and analyzed issues regarding substitution of public defender based on conflict of interest [3.9]; worked on motion regarding same [2.4].
216	06/12/11	Marshall	5.80	\$ 375.00	\$ 2,175.00	Researched and analyzed issues regarding substitution of public defender based on conflict of interest [1.7]; worked on motion for same [4.1].
217	06/13/11	Kinsey	1.50	\$ 100.00	\$ 150.00	Reviewed, revised and finalized motion and related pleadings regarding substitution of counsel (Wilbur); assembled exhibits; telephone conference with court clerk's office; telephone conference with ABC Legal Services; retrieved non-Washington authorities; prepared Marshall notice of appearance; assembled and finalized for filing and service.
218	06/13/11	Boschen	1.30	\$ 150.00	\$ 195.00	Telephone conference with Mount Vernon Municipal Court regarding hearing date; personal conference regarding same; telephone call to Skagit County Jail regarding facsimile procedures; prepared facsimile cover sheet for Limited Representation Agreements; faxed same.
219	06/13/11	Marshall	6.40	\$ 375.00	\$ 2,400.00	Worked on motion to substitute public defense counsel for Mr. Wilbur and documents related to same [5.4]; email correspondence with various individuals regarding filing of lawsuit [.5]; telephone conferences with Mr. Cammock regarding lawsuit [.5].
220	06/13/11	Zuchetto	1.75	\$ 330.00	\$ 577.50	Review, analyze and edit motion for substitution of counsel and discuss w/ co-counsel (1.25); Review retainer agreement (.5).
221	06/14/11	Kinsey	1.00	\$ 100.00	\$ 100.00	Reviewed, revised and finalized motion and related pleadings regarding substitution of counsel (Moon); assembled exhibits; telephone conference with court clerk's office; telephone conference with ABC Legal Services; retrieved non-Washington authorities; prepared Marshall notice of appearance.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
222	06/14/11	Boschen	4.90	\$ 150.00	\$ 735.00	Worked on motion to substitute; telephone conferences, personal conferences and correspondence regarding same; telephone conference with Municipal Courts and jails; facsimiles to clients; telephone conference with potential witness; telephone conferences with Phoenix Recovery Services, Upper Skagit Tribe Counseling and client regarding treatment process.
223	06/14/11	Marshall	8.00	\$ 375.00	\$ 3,000.00	Worked on service issues [.2]; telephone call from Mr. Moon regarding substitution of counsel [.2]; worked on motion to substitute public defense counsel for Mr. Moon and documents related to same [.8]; telephone conference with Mr. Eason's office regarding same [.1]; email correspondence with Mr. Eason regarding same [.1]; telephone call from Burlington Municipal Court clerk regarding hearing in Mr. Wilbur's case [.2]; prepared for court hearing on motion to substitute defense counsel for Mr. Wilbur [1.0]; to Skagit county for same [1.2]; attended hearing on Mr. Wilbur's public defense representation [.8]; meeting with Mr. Cammock regarding lawsuit [.2]; filed papers at Burlington courthouse [.6]; return from Skagit county [1.2]; worked on case strategy issues [1.0]; worked on file management issues [.4].
224	06/14/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Discuss hearing with co-counsel re substitution of counsel (.75); Review and analyze defense counsel comments re case (.25).
225	06/15/11	Boschen	3.90	\$ 150.00	\$ 585.00	Worked on Montague Motion for Substitution; personal conference regarding same; telephone conference with Burlington Municipal Court regarding hearing schedules; telephone conference with and call to Prosecutor Patrick Eason; telephone conferences with clients; facsimiles to clients; telephone conferences with Telmate regarding inmate phone credits; set up inmate phone credits.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
226	06/15/11	Marshall	4.30	\$ 375.00	\$ 1,612.50	Worked on service issues [.3]; worked on responding to telephone calls from potential class members [1.0]; researched and analyzed factual background issues [.4]; worked on Ms. Montague's limited representation agreement [.2]; analyzed issues regarding communications with inmates at jail [.2]; worked on motion to substitute public defender for Ms. Montague and related documents [.4]; exchanged messages with Mr. Hoff regarding motions to substitute him as public defense counsel [.2]; researched and analyzed issues regarding calculation of caseloads of Mr. Witt and Mr. Sybrandy [.3]; email correspondence with Washington Defender's Association regarding filing of lawsuit [.1]; telephone conference with co-counsel regarding case strategy issues [.4]; worked on same [.5]; telephone conference with Mr. Moon regarding status of motion to substitute public defender and related issues [.3].
227	06/16/11	Boschen	1.90	\$ 150.00	\$ 285.00	Personal conference regarding case status and task list; telephone conferences with class members; telephone call to Mount Vernon Municipal Court regarding hearing time; jail roster research; telephone conference with potential witnesses's mother.
228	06/16/11	Marshall	4.50	\$ 375.00	\$ 1,687.50	Email correspondence with co-counsel regarding service and case strategy issues [.1]; worked on discovery issues [.6]; telephone conference and email correspondence with Mr. Hoff regarding public defense representation [.4]; analyzed issues regarding same [.2]; worked on task list [.2]; email correspondence with consulting expert regarding case issues [.1]; telephone calls from clients regarding jail visits by Mr. Sybrandy and Mr. Witt [.5]; researched and analyzed issues regarding same [.5]; telephone conference with co-counsel regarding same [.3]; drafted letter to Mr. Sybrandy and Mr. Witt demanding that they cease contact [.5]; email correspondence with co-counsel regarding same [.1]; email to Mr. Sullivan regarding Ms. Montague's attempts at in-patient treatment [.2]; worked on issues regarding same [.2]; worked on document management issues [.2]; worked on case strategy issues [.4].
229	06/16/11	Zuchetto	1.25	\$ 330.00	\$ 412.50	Work on substitution of counsel issues (.5); Edit letters to Sybrandy and Witt re contact w/ clients (.75).
230	06/17/11	Kinsey	0.30	\$ 100.00	\$ 30.00	Reviewed, revised and finalized letter to Messrs. Sybrandy and Witt; arranged email delivery.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
231	06/17/11	Marshall	2.20	\$ 375.00	\$ 825.00	Worked on letter to Mr. Sybrandy and Mr. Witt regarding contact with plaintiffs [.2]; email correspondence with Mr. Hoff regarding public defender work [.1]; worked on follow-up with class members [.1]; reviewed notices from courts regarding upcoming hearings for Mr. Moon and Mr. Wilbur [.1]; worked on discovery requests [.6]; researched and analyzed issues regarding city contracts with public defenders [1.0]; left message with Mr. Skelton [.1].
232	06/20/11	Kinsey	0.80	\$ 100.00	\$ 80.00	Prepared stipulation and proposed order regarding substitution of counsel (Wilbur); prepared proposed order substituting defense counsel (Moon).
233	06/20/11	Boschen	2.90	\$ 150.00	\$ 435.00	Telephone conferences with Burlington and Mount Vernon Municipal Courts regarding hearing times and locations; telephone conference with Skagit County Jail regarding client's commitments; telephone conference with co-counsel regarding case status; Westlaw research regarding prior Mount Vernon case; correspondence regarding same.
234	06/20/11	Marshall	7.40	\$ 375.00	\$ 2,775.00	Analyzed issues regarding scheduling of hearings on motions to substitute counsel [.2]; telephone call from potential class member regarding scope of case [.1]; worked on case strategy issues and tasks [.9]; telephone conference with Mr. Sullivan regarding Ms. Montague's current commitment and request for in-patient treatment [.2]; analyzed issues regarding same [.1]; drafted stipulation and proposed order granting Mr. Wilbur's motion for substitution of counsel [.4]; email to Mr. Cammock and Mr. Thomas regarding same [.1]; left message with Mr. Cammock regarding same [.1]; telephone conference with Mr. Thomas regarding same [.1]; left message with Mr. Eason regarding same [.1]; worked on discovery requests [1.3]; worked on public disclosure requests [.3]; reviewed legal decision referring to excessive caseloads in Mount Vernon as early as 1992 [.4]; researched and analyzed issues regarding same [.4]; email correspondence and telephone conference with co-counsel regarding same and case strategy issues [1.4]; email correspondence with Ms. Kenimond regarding bidding process [.1]; telephone conference with Mr. Wilbur regarding various issues [.2]; email from Mr. Cammock regarding communication issues [.1]; researched and analyzed issues regarding substitution of counsel [.6]; worked on amended order substituting Mr. Hoff as counsel [.3].
235	06/20/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Work on case strategy/status and discuss w/ co-counsel (.75); Call to city attorneys re motions to substitute counsel (.25).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
236	06/21/11	Marshall	7.40	\$ 375.00	\$ 2,775.00	Reviewed jail roster [.3]; worked on outline of argument for hearings on motion to substitute Glen Hoff as public defender in cases of Mr. Wilbur and Mr. Moon [1.0]; to Skagit County for same [1.2]; participated in same [.8]; meeting with Ms. Montague [.3]; meeting with Mr. Wilbur [.3]; meetings with inmates regarding factual background issues [1.8]; returned from Skagit County [1.2]; telephone conferences with co-counsel regarding factual background and case strategy issues [.5].
237	06/21/11	Zuchetto	0.70	\$ 330.00	\$ 231.00	Research re grant county case predecessor (.2); Work on subst. of counsel (.5).
238	06/22/11	Boschen	1.40	\$ 150.00	\$ 210.00	Left voicemail messages with potential witness; personal conferences regarding case task list; correspondence with co-counsel regarding agreements.
239	06/22/11	Marshall	3.30	\$ 375.00	\$ 1,237.50	Researched and analyzed issues regarding factual background [.4]; worked on file management issues [.1]; email correspondence with Mr. Carroll regarding assistance with lawsuit [.2]; email from Ms. Mergler regarding same [.1]; researched factual background issues [.5]; worked on stipulation and proposed order substituting Mr. Hoff as public defender for Ms. Montague [.3]; email to Mr. Thomas regarding same [.1]; telephone conferences with individuals previously represented by Mr. Witt and Mr. Sybrandy [1.6].
240	06/22/11	Zuchetto	1.70	\$ 330.00	\$ 561.00	Call to Sanchez re Sybrandy client (.5); Work on rep. agreements (1.2).
241	06/23/11	Boschen	0.30	\$ 150.00	\$ 45.00	Correspondence regarding Phoenix Recovery; voicemail to Phoenix Recovery; updated case contacts.
242	06/23/11	Marshall	2.50	\$ 375.00	\$ 937.50	Telephone call from Ms. Talner regarding ACLU's potential involvement in litigation [.4]; email correspondence with co-counsel and Ms. Talner regarding same [.2]; telephone conference with Mr. Wilbur regarding in-patient treatment issues [.1]; telephone conference with co-counsel regarding ACLU and case strategy issues [.7]; analyzed issues regarding same [.1]; left message with Mr. Thomas regarding substitution of public defense counsel for Ms. Montague [.1]; left message with Mr. Sullivan regarding Ms. Montague's eligibility for in-patient treatment [.1]; telephone conference with Ms. Montague regarding various issues [.3]; worked on factual background issues [.5].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
243	06/23/11	Zuchetto	1.75	\$ 330.00	\$ 577.50	Discuss potential additional co-counsel w/ Marshall and research re same (1.25); Review and sign limited rep. agreements (.5).
244	06/23/11	Talner	1.50	\$ 400.00	\$ 600.00	Read public records documents and pleadings filed to date; discuss documents reviewed with Sarah Dunne
245	06/24/11	Kinsey	1.20	\$ 100.00	\$ 120.00	Prepared draft of Marshall notice of appearance; reviewed, revised and finalized motion for substitution of counsel; prepared exhibit to Marshall declaration; prepared table o non-Washington authorities; telephone conference with court clerk's office; prepared notice of hearing and declaration of service; arranged filing and service.
246	06/24/11	Boschen	2.40	\$ 150.00	\$ 360.00	Telephone conference regarding case status; personal conference regarding same; worked on labeling documents produced in response to public disclosure requests; correspondence with co-counsel regarding same; created production log; telephone call to Phoenix Recovery Service.
247	06/24/11	Marshall	4.50	\$ 375.00	\$ 1,687.50	Email correspondence with Mr. Thomas regarding substitution of public defense counsel for Ms. Montague [.1]; attempt to reach Mr. Thomas by telephone regarding same [.1]; telephone conference with co-counsel regarding discovery and case strategy issues [.8]; email correspondence with Ms. Talner regarding ACLU's involvement in litigation [.1]; email correspondence with potential class member regarding factual background issues [.1]; worked on motion for substitution of public defense counsel for Ms. Montague [.8]; email correspondence with Mr. Sullivan regarding Ms. Montague's eligibility for in-patient treatment [.1]; worked on discovery issues [.3]; drafted memorandum regarding increased fees and costs due to opposing counsel's lack of cooperation [.3]; prepared for conference call with co-counsel and experts [.3]; participated in same [1.0]; telephone call from Mr. Wilbur regarding in-patient treatment [.1]; worked on case strategy issues [.3]; telephone conference with co-counsel regarding same [.1].
248	06/24/11	Zuchetto	2.70	\$ 330.00	\$ 891.00	Review and analyze e-mail re NOA/substitution of counsel from defense counsel (1.7); Call w/ co-counsel and expert (.5); E-mail co-counsel re joint agreements (.5).
249	06/24/11	Talner	1.40	\$ 400.00	\$ 560.00	Discuss fact investigation and next steps with T. Marshall and M. Zuchetto
250	06/25/11	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on letter to opposing counsel regarding mediation request [.3].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
251	06/27/11	Boschen	1.80	\$ 150.00	\$ 270.00	Telephone conferences with Upper Skagit Tribe; telephone conferences with Phoenix Recovery; personal conferences regarding same; updated production log; produced PDR documents to co-counsel; fax to Skagit County Jail; updated case contacts.
252	06/27/11	Marshall	6.50	\$ 375.00	\$ 2,437.50	Email to Mr. Hoff regarding orders assigning him as counsel in Mr. Wilbur and Mr. Moon's cases, issues related to same, and status of Ms. Montague's case [.4]; worked on case management issues [.2]; drafted letter to opposing counsel regarding early mediation [.4]; researched and analyzed issues regarding same [.2]; email correspondence with co-counsel regarding same [.2]; worked on document management issues [.2]; message from class member regarding factual background issues [.1]; worked on discovery issues [.3]; worked on discovery requests to defendants [2.6]; analyzed issues regarding Mr. Wilbur's eligibility for in-patient treatment [.3]; telephone conferences with Mr. Wilbur regarding same [.4]; telephone conference with Mr. Hoff regarding status of cases [.2]; telephone conference with Ms. Dunne and Ms. Talner regarding joint prosecution of class action with ACLU [.4]; email correspondence with Ms. Dunne regarding same [.1]; telephone conference with co-counsel regarding same [.2]; worked on case strategy issues [.1]; telephone call from indigent defendant regarding factual background issues [.2].
253	06/27/11	Zuchetto	3.50	\$ 330.00	\$ 1,155.00	Call w/ co-counsel re joining additional plaintiff's counsel (.5); Call to potential witness (.5); Research re class certification (2.0); Work on letter to def. counsel (.5).
254	06/28/11	Kinsey	0.40	\$ 100.00	\$ 40.00	Worked on draft of document preservation demand letter.
255	06/28/11	Boschen	0.70	\$ 150.00	\$ 105.00	Telephone conference with Phoenix Recovery; telephone call to Mr. Hoff regarding client; personal conferences regarding client's release and treatment.

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1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
256	06/28/11	Marshall	6.50	\$ 375.00	\$ 2,437.50	Drafted letter to Mr. Thomas regarding request for mediation [.1]; telephone conferences with co-counsel and consulting expert regarding expert issues [.5]; analyzed issues regarding class member calls [.1]; meeting with Mr. Butler regarding factual background issues [.1]; worked on discovery requests to defendants [2.7]; email correspondence with co-counsel regarding same [.3]; researched and analyzed issues regarding factual background [1.2]; drafted document data and preservation letter to opposing counsel [.3]; email correspondence with co-counsel regarding same [.1]; worked on subpoena duces tecum to Mr. Sybrandy [.8]; worked on issues regarding in-patient treatment for Mr. Wilbur [.2]; telephone conference with Mr. Wilbur regarding same [.1].
257	06/28/11	Zuchetto	3.00	\$ 330.00	\$ 990.00	Work on discovery requests to MV and Burlington (1.0); Call w/ expert and discuss same w/ co-counsel (.75); Work on document/data preservation letter (1.25).
258	06/29/11	Kinsey	4.20	\$ 100.00	\$ 420.00	Prepared and finalized plaintiffs' first interrogatories and requests for production to defendants City of Burlington and City of Mt. Vernon; finalized discovery preservation demand letter; prepared declaration of service; arranged service; updated caption; reviewed, revised and finalized subpoena in a civil case directed to Witt and Sybrandy.
259	06/29/11	Marshall	2.20	\$ 375.00	\$ 825.00	Worked on discovery issues [.2]; worked on subpoena duces tecum to Mr. Sybrandy [1.2]; email to opposing counsel regarding same [.1]; worked on document and data preservation letter to opposing counsel [.1]; email correspondence with co-counsel regarding same [.1]; worked on discovery requests to defendants [.4]; telephone call from Mr. Wilbur regarding status of in-patient treatment [.1].
260	06/29/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Work on Subpoena Duces Tecum to Sybrandy (1.0); Review and edit document preservation letter and e-mail co-counsel re same (1.0).
261	06/30/11	Boschen	1.60	\$ 150.00	\$ 240.00	Telephone conference with client; telephone conference with Phoenix recovery regarding client's bed date; voice mail to Mr. Hoff regarding client's release; correspondence regarding bed date; researched current address and contact information for client; drafted and emailed public disclosure request to Mount Vernon Municipal Court.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
262	06/30/11	Marshall	4.40	\$ 375.00	\$ 1,650.00	Email from co-counsel regarding subpoena duces tecum to Mr. Sybrandy [.1]; researched and analyzed issues regarding factual background [.1]; left message with public defender in Seattle regarding misdemeanor caseloads [.1]; message from potential class member [.1]; telephone conference with potential class member regarding factual background issues [.4]; worked on discovery requests [2.1]; worked on subpoenas to Mr. Witt and Mr. Sybrandy [1.2]; reviewed recent decisions on sixth amendment [.2]; regarding contact information for Mr. Moon [.1].
263	06/30/11	Zuchetto	1.30	\$ 330.00	\$ 429.00	Work on Subpoena Duces Tecum to Sybrandy/Witt.
264	07/01/11	Kinsey	0.80	\$ 100.00	\$ 80.00	Finalized plaintiffs' first discovery responses to City of Burlington and City of Mt. Vernon and Sybrandy and Witt subpoenas; arrange service on Mr. Cooley.
265	07/01/11	Marshall	3.00	\$ 375.00	\$ 1,125.00	Worked on discovery requests [.9]; researched and analyzed issues regarding guardian ad litem [1.0]; worked on subpoenas to Mr. Sybrandy and Mr. Witt [.5]; let message with Mr. Wilbur's grandmother regarding transfer to in-patient treatment [.1]; telephone conferences with potential class members regarding issues with public defenders [.5].
266	07/01/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Work on discovery requests and Subpoena Duces Tecums to Sybrandy/Witt.
267	07/01/11	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re case
268	07/01/11	Williams	1.00	\$ 580.00	\$ 580.00	Begin reviewing background materials on Skagit County lawsuit;
269	07/03/11	Marshall	1.30	\$ 375.00	\$ 487.50	Researched and analyzed issues regarding class certification and standards for prevailing on constitutional claims [1.3].
270	07/04/11	Marshall	1.20	\$ 375.00	\$ 450.00	Researched and analyzed issues regarding historical caseloads in Mount Vernon and Burlington municipal courts [.9]; researched and analyzed issues regarding withdrawal of limited representation in criminal cases of Mr. Wilbur and Mr. Moon [.2]; drafted language for notices of withdrawal [.1].
271	07/05/11	Boschen	0.50	\$ 150.00	\$ 75.00	Telephone conferences and correspondence with Mount Vernon Municipal Court regarding PDR.
272	07/05/11	Marshall	2.70	\$ 375.00	\$ 1,012.50	Analyzed issues regarding request for case files from Mount Vernon [.1]; researched and analyzed issues regarding guardian ad litem [.4]; reviewed defendants' notice of removal [.2]; email correspondence with co-counsel regarding same [.2]; researched and analyzed issues regarding same [1.0]; worked on public disclosure requests [.3]; worked on case strategy issues [.5].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
273	07/05/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Read and analyze notice of removal and limited notice of withdrawals.
274	07/05/11	Dunne	0.20	\$ 380.00	\$ 76.00	Review removal documents filed by Defendants
275	07/06/11	Marshall	0.60	\$ 375.00	\$ 225.00	Worked on document management issues [.1]; telephone conference with co-counsel regarding case strategy issues [.3]; analyzed issues regarding in-patient treatment of Mr. Wilbur [.1]; reviewed letter from witness regarding indigent defense issues [.1].
276	07/06/11	Zuchetto	0.20	\$ 330.00	\$ 66.00	Review Judge assignment, analyze, discuss remand.
277	07/07/11	Boschen	3.20	\$ 150.00	\$ 480.00	Read letter from inmate and drafted response letter to same; telephone calls to and conferences with potential witnesses; drafted public disclosure request to Skagit County Jail; updated task list; correspondence regarding same.
278	07/07/11	Marshall	0.70	\$ 375.00	\$ 262.50	Worked on witness interviews project [.5]; worked on scheduling of meeting with ACLU regarding participation in case [.2].
279	07/07/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	E-mail to co-counsel re meeting (.25); Review and analyze fee agreement (.25).
280	07/08/11	Boschen	1.70	\$ 150.00	\$ 255.00	Telephone conference with client regarding treatment term; telephone conference with Mr. Hoff regarding same; telephone conference with Chief Wend regarding public disclosure request; personal conference and correspondence regarding witness calls; worked on researching phone numbers; updated contacts.
281	07/08/11	Marshall	0.80	\$ 375.00	\$ 300.00	Analyzed issues regarding prosecution of litigation with ACLU [.3]; email correspondence with co-counsel regarding same [.2]; analyzed issues regarding public disclosure request to Skagit County jail for phone records [.2]; analyzed issues regarding contact with client [.1].
282	07/08/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review and analyze co-counsel agreement and e-mail co-counsel re same.
283	07/10/11	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on file management issues [.2].
284	07/11/11	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding service of notice of withdrawal in Burlington and removal to federal court [.1]; emails from Ms. Talner regarding factual background issues [.1].
285	07/12/11	Boschen	0.60	\$ 150.00	\$ 90.00	Finalized letter to witness and prepared mailing of same.
286	07/13/11	Kinsey	0.80	\$ 100.00	\$ 80.00	Prepared federal court caption; prepared certificate of service list; reviewed court docket for defendant attorney appearances.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
287	07/13/11	Marshall	1.10	\$ 375.00	\$ 412.50	Researched and analyzed issues regarding amount spent by Defendants per capita and per case compared with amounts spent by other cities within Washington [.6]; email correspondence with co-counsel regarding same [.2]; worked on discovery and case strategy issues [.2]; email correspondence with co-counsel regarding discovery issues [.1].
288	07/13/11	Dunne	0.30	\$ 380.00	\$ 114.00	Review emails from co-counsel and Nancy Talner regarding case facts
289	07/14/11	Kinsey	0.30	\$ 100.00	\$ 30.00	Reviewed declaration of service of summons and complaint; email correspondence to opposing counsel transmitting plaintiffs' discovery requests.
290	07/14/11	Williams	0.50	\$ 580.00	\$ 290.00	Review emails from ACLU containing background materials for review;
291	07/18/11	Marshall	1.80	\$ 375.00	\$ 675.00	Worked on issues regarding class member interviews [.1]; analyzed issues regarding response to motion for substitution of counsel [.5]; worked on reply in support of motion for substitution of counsel [1.2].
292	07/19/11	Kinsey	1.30	\$ 100.00	\$ 130.00	Reviewed, revised and finalized reply submission regarding motion for substitution regarding Montague; prepared declaration of service; arranged filing and service.
293	07/19/11	Boschen	3.40	\$ 150.00	\$ 510.00	Reviewed Skagit County Jail Roster; prepared index of potential witnesses from same; correspondence regarding same.
294	07/19/11	Marshall	2.40	\$ 375.00	\$ 900.00	Worked on reply in support of motion to substitute new public defense counsel for Ms. Montague [.7]; drafted proposed order granting same [.2]; worked on argument for hearing on same [1.0]; analyzed issues regarding docketing deadlines [.1]; worked on document review issues [.4].
295	07/19/11	Zuchetto	1.30	\$ 330.00	\$ 429.00	Review and analyze response and reply re motion for substitution of counsel (.6); Review and analyze joint prosecution agreement and discuss same w/ co-counsel (.7).
296	07/20/11	Boschen	0.50	\$ 150.00	\$ 75.00	Reviewed Order Regarding Initial Disclosures, Joint Status Report and Early Settlement; reviewed docket for case; correspondence regarding deadlines.
297	07/20/11	Marshall	6.70	\$ 375.00	\$ 2,512.50	Telephone conference with co-counsel regarding case strategy issues [.2]; prepared for hearing on motion to substitute counsel for Ms. Montague [.3]; prepared for interviews with witnesses at Skagit County jail [.4]; to Skagit County for hearing and witness interviews [1.2]; email from opposing counsel regarding cancellation of hearing [.1]; personal conference with court clerk regarding same [.1]; interviewed witnesses at jail [3.2]; returned from Skagit County [1.2].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
298	07/20/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review and analyze answer.
299	07/21/11	Boschen	2.80	\$ 150.00	\$ 420.00	Reviewed and indexed supplemental production from Skagit County in response to public disclosure requested; bates labeled same; bates labeled documents produced by Mount Vernon Municipal Court in response to public disclosure request; updated production log; correspondence regarding documents produced in response to public disclosure requests.
300	07/21/11	Marshall	2.20	\$ 375.00	\$ 825.00	Email correspondence with co-counsel regarding case strategy issues [.1]; worked on same [.4]; reviewed documents from Skagit Co. in response to public records request [.3]; email correspondence with co-counsel regarding same [.1]; left message with Ms. Russell regarding potential omissions in same [.1]; worked on compiling notes from jail inmate interviews and analyzing action items [.8]; email correspondence with co-counsel regarding same [.2]; telephone call from Ms. Russell regarding public records request [.1]; email to co-counsel regarding defendants' answer [.1].
301	07/21/11	Dunne	2.10	\$ 380.00	\$ 798.00	Review Answer filed by Defendants; conduct legal research on legal standard for systemic indigent defense reform class action
302	07/22/11	Marshall	4.60	\$ 375.00	\$ 1,725.00	Researched and analyzed issues regarding standards to apply to preconviction claims regarding sixth amendment rights [.8]; prepared for meeting with co-counsel [.5]; meetings with co-counsel regarding factual background and case strategy issues [3.3].
303	07/22/11	Zuchetto	6.50	\$ 330.00	\$ 2,145.00	Participate in litigation strategy session w/ co-counsel (2.0); Travel back to Spokane (4.5).
304	07/22/11	Dunne	2.50	\$ 380.00	\$ 950.00	Meeting with J. Williams, N. Talner, M. Zuchetto, and T. Marshall regarding case strategy and discovery;
305	07/22/11	Talner	2.50	\$ 400.00	\$ 1,000.00	Meeting with co-counsel to discuss case strategy
306	07/22/11	Williams	2.70	\$ 580.00	\$ 1,566.00	Review background material and prepare for meeting with co-counsel on case status;
307	07/25/11	Marshall	0.50	\$ 375.00	\$ 187.50	Telephone call from co-counsel regarding association with ACLU and case strategy issues [.3]; email correspondence with ACLU and Perkins Coie attorneys regarding same [.2].
308	07/25/11	Zuchetto	0.30	\$ 330.00	\$ 99.00	Work on scheduling Rule 26 conference, expert strategy, review and analyze 06 contract re Burlington.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
309	07/25/11	Dunne	2.30	\$ 380.00	\$ 874.00	Review contract for City of Burlington and City of Mount Vernon public defense contract for 2006; conduct legal research on Sixth Amendment legal standard and draft memo regarding same
310	07/25/11	Williams	0.50	\$ 580.00	\$ 290.00	review Grant County docket and select documents for intranet access to all counsel;
311	07/26/11	Boschen	2.30	\$ 150.00	\$ 345.00	Worked on PDR production index and PDR review; telephone conference with Intelmate regarding client balances; set up intelmate account for indigent defendant; email correspondence to Mount Vernon Municipal Court regarding PDR; telephone call to client; researched client contact; telephone call to Mr. Hoff regarding same; telephone conference with Ms. Johnson; correspondence regarding same.
312	07/26/11	Marshall	0.90	\$ 375.00	\$ 337.50	Drafted action items list and worked on implementing same [.4]; telephone conference with co-counsel regarding same [.2]; telephone call from co-counsel regarding factual background issues [.3].
313	07/26/11	Zuchetto	0.20	\$ 330.00	\$ 66.00	Work on case management/strategy and discuss same w/ co-counsel.
314	07/26/11	Williams	2.10	\$ 580.00	\$ 1,218.00	Review ACLU brief on case status and legal issues; begin developing case overview;
315	07/27/11	Boschen	0.20	\$ 150.00	\$ 30.00	Telephone conference with Mr. Hoff; correspondence regarding same; telephone call and voicemail to client; researched client cases; correspondence regarding same;
316	07/27/11	Marshall	1.30	\$ 375.00	\$ 487.50	Email from opposing counsel regarding scheduling of Rule 26(f) conference [.1]; analyzed issues regarding communications with named plaintiffs [.1]; email from co-counsel regarding representation of named plaintiffs [.1]; worked on case strategy issues [.2]; telephone conference with expert and co-counsel regarding factual background and legal issues [.8].
317	07/27/11	Zuchetto	0.40	\$ 330.00	\$ 132.00	Teleconference w/ expert (.25); research re right to counsel and parole hearings (.15).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
318	07/28/11	Boschen	5.50	\$ 150.00	\$ 825.00	Telephone calls to and conferences with Burlington and Mount Vernon Municipal Courts; telephone conference with client; drafted public disclosure requests to Burlington and Mount Vernon Municipal Courts; drafted letter to Mount Vernon Municipal Court regarding previous public disclosure request; resesarched client contact information; telephone call to client; telephone conference with Skagit County Jail regarding client documents; personal conference regarding case status; worked on filing documents; prepared case files for co-counsel; personal conference and correspondence regarding same.
319	07/28/11	Marshall	3.70	\$ 375.00	\$ 1,387.50	Telephone calls from indigent defendant regarding factual background issues [.2]; worked on same [.3]; telephone call from co-counsel regarding case strategy and expert issues [.3]; worked on same [.8]; worked on strategy for discovery and class certification [1.3]; email correspondence with co-counsel regarding contact with plaintiffs [.1]; analyzed issues regarding same [.2]; reviewed materials from other cases involving systemic public defense reform [.3]; worked on issues related to evidence files [.2].
320	07/28/11	Zuchetto	0.70	\$ 330.00	\$ 231.00	Analyze costs and case strategy and discuss same w/ co-counsel.
321	07/28/11	Fisher	5.90	\$ 330.00	\$ 1,947.00	Draft initial disclosures;
322	07/29/11	Kinsey	0.80	\$ 100.00	\$ 80.00	Drafted initial disclosures and joint status report and discovery plan.
323	07/29/11	Marshall	5.00	\$ 375.00	\$ 1,875.00	Email correspondence with co-counsel regarding representation of plaintiffs [.1]; drafted task list [.5]; drafted agenda for meeting with co-counsel [.5]; analyzed case strategy issues [.8]; worked on factual background issues [3.1].
324	07/29/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Research and analyze Judge Lasik's decisions re class certification.
325	07/29/11	Zuchetto	0.70	\$ 330.00	\$ 231.00	Work on strategy/agenda re team meeting
326	07/29/11	Talner	0.50	\$ 400.00	\$ 200.00	Prepare for Monday's meeting with co-counsel by reviewing fact evidence in case to date
327	07/29/11	Fisher	1.70	\$ 330.00	\$ 561.00	Read background material for case;
328	07/29/11	Williams	0.50	\$ 580.00	\$ 290.00	Exchange emails on CR 26(f) conference and plan for 8/1/22 strategy conference;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
329	08/01/11	Boschen	6.90	\$ 150.00	\$ 1,035.00	Travel to and from Perkins Coie for case meeting; attended case meeting; telephone call to, conference and email with Pioneer Human Services; telephone conference and correspondence with Mount Vernon Municipal Court regarding public disclosure request; telephone conference with Burlington Municipal Court regarding public disclosure request; correspondence regarding municipal court hearing dates and times; reviewed documents and correspondence pertaining to potential expert witnesses; prepared documents for client meeting; correspondence regarding same; reviewed client documents; filed same.
330	08/01/11	Marshall	7.00	\$ 375.00	\$ 2,625.00	Prepared for meeting with co-counsel [.2]; worked on agenda for same [.1]; worked on task list [.3]; worked on case strategy issues [.4]; meeting with co-counsel regarding case strategy issues, factual background issues, legal issues, expert issues, and action items [4.4]; email correspondence with co-counsel regarding discovery issues [.2]; email correspondence with co-counsel regarding legal standard to apply to preconviction sixth amendment cases [.2]; researched and analyzed issues regarding same [.2]; analyzed issues regarding rescheduling of hearing on motion to substitute new public defender for Ms. Montague [.1]; revised confirmation of understanding for interviews with indigent defendants [.2]; reviewed documents from Ms. Johnson regarding upcoming court hearing [.2]; analyzed issues regarding same [.2]; worked on issues regarding representation of clients by ACLU and Perkins Coie [.2]; worked on expert issues [.1].
331	08/01/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Prepare for strategy meeting
332	08/01/11	Zuchetto	0.75	\$ 330.00	\$ 247.50	Research re GAL re witness/class rep.
333	08/01/11	Dunne	3.20	\$ 380.00	\$ 1,216.00	Meeting with J. Williams, C. Fisher, T. Marshall, M. Zuchetto, N. Talner regarding case strategy and discovery
334	08/01/11	Talner	3.50	\$ 400.00	\$ 1,400.00	Attend meeting with plaintiffs' attorneys and cooperating attorneys to discuss case strategy; read emails from those attorneys; research experts
335	08/01/11	Fisher	6.10	\$ 330.00	\$ 2,013.00	Attend meeting with team to discuss general issues of case and plan; begin initial research on standard used for for the assistance of counsel, possible relief, and defenses we are likely to see;
336	08/01/11	Williams	5.00	\$ 580.00	\$ 2,900.00	Prepare for and meet with Wilbur litigation team to discuss case status, assignments, and strategy; review emails from litigation team on post-meeting action items;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
337	08/02/11	Boschen	8.60	\$ 150.00	\$ 1,290.00	Prepared maps for travel to Sedro Woolley, Burlington and Mount Vernon; Travel to Pioneer Center North for client meeting; client meeting; travel from Pioneer Center North to Burlington Municipal Court; obtained documents in response to public disclosure request from Burlington Municipal Court; travel from Burlington Municipal Court to Mount Vernon Municipal Court; obtained documents in response to public disclosure requests from Mount Vernon Municipal Court; observed arraignment hearings; return travel from Mount Vernon Municipal Court.
338	08/02/11	Marshall	8.60	\$ 375.00	\$ 3,225.00	Email correspondence with Ms. Burton regarding status of case [.1]; worked on discovery issues [.3]; worked on expert issues [.2]; telephone conference with co-counsel regarding same [.2]; prepared for interviews of indigent defendants [.5]; telephone conference with co-counsel regarding same [.4]; to Skagit County for meeting with client [1.5]; meeting with Ms. Montague regarding various case issues [1.0]; obtained case files from Burlington municipal court [.2]; attended arraignment hearing and interviewed indigent defendants [1.9]; returned from Skagit County [1.3]; exchanged messages with co-counsel regarding expert issues [.2]; analyzed issues regarding caseload standards [.3]; worked on case strategy issues [.5].
339	08/02/11	Zuchetto	0.40	\$ 330.00	\$ 132.00	Research GAL re potential rep. or witness.
340	08/02/11	Zuchetto	0.70	\$ 330.00	\$ 231.00	Review and analyze e-mails from co-counsel re expert witnesses.
341	08/02/11	Zuchetto	0.20	\$ 330.00	\$ 66.00	Call to class rep. re additional co-counsel.
342	08/02/11	Dunne	0.20	\$ 380.00	\$ 76.00	Review emails from N. Talner and co-counsel regarding possible experts
343	08/02/11	Talner	1.90	\$ 400.00	\$ 760.00	Conduct research regarding possible experts and email co-counsel about experts
344	08/02/11	Williams	1.00	\$ 580.00	\$ 580.00	Draft email to Professor Saltzburg on Right to Counsel definition; review emails on potential expert witnesses;
345	08/02/11	Fisher	9.30	\$ 330.00	\$ 3,069.00	Research standard for assistance of counsel under sixth amendment; attend court hearings at Mount Vernon Municipal Court;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
346	08/03/11	Boschen	4.10	\$ 150.00	\$ 615.00	Scanned and bates labeled public disclosure requests from Mount Vernon and Burlington Municipal Courts; correspondence regarding same; updated production log; scanned and emailed client agreements; telephone conference with Sun Ray Courte regarding client; telephone conference with Burlington Municipal Court regarding hearing schedule; personal conference and correspondence regarding same; resesarched Witt and Sybrandy open cases; prepared database of same; drafted summary of client visit.
347	08/03/11	Marshall	2.90	\$ 375.00	\$ 1,087.50	Analyzed issues regarding requirement of Ms. Montague's presence at hearing on motion to substitute counsel [.1]; telephone conference with Mr. Hoff regarding same [.1]; email correspondence with co-counsel regarding meeting with Ms. Montague [.1]; analyzed issues regarding indigent defendant's factual background [.3]; analyzed issues regarding experts [.1]; email correspondence with co-counsel regarding same [.1]; telephone conference with co-counsel regarding same and factual background issues with Mr. Osborne and Mr. Wilbur [.8]; telephone conference with co-counsel and Mr. Wilbur regarding case status and representation by ACLU [.4]; telephone conference with co-counsel and Ms. Kaiser regarding same [.2]; worked on expert issues and case strategy issues [.5]; worked on client issues [.2].
348	08/03/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Work on strategy w/ co-counsel re experts and disabled plaintiff/witness.
349	08/03/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Call to Class Rep. to arrange meeting
350	08/03/11	Dunne	0.20	\$ 380.00	\$ 76.00	Review emails from co-counsel re possible plaintiffs and respond to inquiry regarding how to obtain military records of potential plaintiff
351	08/03/11	Talner	3.00	\$ 400.00	\$ 1,200.00	Research cases where 6th Amendment violation found and share list with co-counsel; telephone call with T. Marshall regarding legal issues in one potential plaintiff or witness's case and strategy regarding experts; review records in potential plaintiff or witness's case and email comments to co-counsel
352	08/04/11	Boschen	0.20	\$ 150.00	\$ 30.00	Correspondence regarding court observation and travel regarding same.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
353	08/04/11	Marshall	2.80	\$ 375.00	\$ 1,050.00	Revised stipulation and proposed order substituting public defense counsel for Ms. Montague [.1]; email to Mr. Thomas requesting approval to file same [.1]; worked on document management issues [.2]; researched and analyzed issues regarding ability of sitting judge to testify as expert witness [.5]; email correspondence with co-counsel regarding same [.1]; telephone call from expert regarding factual background and expert issues [.5]; worked on same [.6]; telephone conference with co-counsel regarding same [.2]; email correspondence with co-counsel and opposing counsel regarding scheduling issues [.2]; worked on case strategy issues [.3].
354	08/04/11	Zuchetto	1.30	\$ 330.00	\$ 429.00	Meeting w/ Joseph Wilbur.
355	08/04/11	Zuchetto	0.75	\$ 330.00	\$ 247.50	Discuss call w/ expert w/ co-counsel and call to expert re role.
356	08/04/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review, analyze and edit e-mail to defense counsel re Rule 26 conference.
357	08/04/11	Zuchetto	0.70	\$ 330.00	\$ 231.00	Research re expert issues.
358	08/04/11	Talner	0.30	\$ 400.00	\$ 120.00	Emails with co-counsel to arrange Mount Vernon court observation
359	08/05/11	Marshall	3.70	\$ 375.00	\$ 1,387.50	Worked on joint status report [1.8]; email correspondence with co-counsel regarding same [.1]; researched and analyzed issues regarding legal claims [1.5]; telephone call from co-counsel regarding same [.2]; left message with Ms. Osborne regarding witness issues [.1].
360	08/05/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Work on letter to Wilbur re rep.
361	08/05/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Work on joint report.
362	08/05/11	Talner	0.80	\$ 400.00	\$ 320.00	Discuss legal issues in case with ACLU expert on indigent defense; email to co-counsel regarding experts; research on jury trial issue;
363	08/08/11	Boschen	1.90	\$ 150.00	\$ 285.00	Personal conference regarding witness search [.2]; worked on coordinating travel to Mount Vernon Municipal Court [.2]; worked on filing [.1]; researched client case history [.3]; correspondence regarding same [.1]; correspondence regarding client contact information [.1]; correspondence regarding correcting caption [.1]; reviewed court records regarding client's public defender [.5]; reviewed Answer to Complaint [.1]; correspondence regarding same [.1]; personal conference regarding same [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
364	08/08/11	Marshall	3.60	\$ 375.00	\$ 1,350.00	Message from Mr. Moon regarding new contact information [.1]; email correspondence with co-counsel regarding same [.1]; worked on task list [.1]; worked on document management issues [.1]; telephone calls from indigent defendant regarding representation by Mr. Witt [.4]; analyzed issues regarding same [.3]; telephone conference with co-counsel regarding same [.3]; telephone conference with indigent defendant regarding same [.5]; researched and analyzed issues regarding Mr. Witt's representation of Ms. Montague [.2]; interviewed Ms. Shields regarding experiences with public defenders [.3]; analyzed issues regarding same and drafted memorandum for file [.3]; email correspondence with co-counsel regarding joint status report [.2]; worked on strategy for witness interviews [.5]; telephone conference with Mr. Moon regarding status of case and representation by ACLU [.2].
365	08/08/11	Zuchetto	0.85	\$ 330.00	\$ 280.50	Call w/ co-counsel re potential witness/class rep. and analyze same (.75); Work on joint status report (.1).
366	08/08/11	Dunne	0.90	\$ 380.00	\$ 342.00	Review and revise Joint Status Report; review legal research on right to counsel from Michigan case; review emails from co-counsel regarding case strategy
367	08/08/11	Talner	0.80	\$ 400.00	\$ 320.00	Review and comment on draft discovery requests; telephone call with co-counsel regarding new potential witness/plaintiff;
368	08/08/11	Fisher	0.60	\$ 330.00	\$ 198.00	Read the joint pre-trial statement and discovery requests and subpoenas; take care of the notice of appearance;
369	08/09/11	Kinsey	0.40	\$ 100.00	\$ 40.00	Amended plaintiff attorney appearances in joint status report and master caption.
370	08/09/11	Boschen	6.20	\$ 150.00	\$ 930.00	Travel to and from Mount Vernon Municipal Court to meet with client [5.4]; scanned and emailed signed representation agreements [.1]; worked on filing agreements [.1]; bates labeled and OCRd Mount Vernon PDRs [.4]; updated production log [.1]; correspondence with co-counsel regarding same [.1].
371	08/09/11	Marshall	1.40	\$ 375.00	\$ 525.00	Left message with Mr. Thomas regarding stipulation to substitute public defender for Ms. Montague [.1]; revised draft joint status report [.1]; email to opposing counsel regarding scheduling of Rule 26(f) conference [.1]; email correspondence with co-counsel regarding joint status report [.1]; worked on discovery and case strategy issues [1.0].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
372	08/09/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review and analyze class member treatment notes (.25); Review and Analyze joint status report (.25); discuss strategy w/ co-counsel (.25); Review and analyze substitution of counsel e-mail from opposing counsel re class rep. (.25).
373	08/09/11	Talner	5.80	\$ 400.00	\$ 2,320.00	Travel to and from Mount Vernon municipal court and observe pretrial hearings in municipal court and in-custody hearings for municipal court
374	08/09/11	Fisher	6.10	\$ 330.00	\$ 2,013.00	Attend hearings at Mount Vernon Municipal Court; draft notice of appearance;
375	08/10/11	Kinsey	0.30	\$ 100.00	\$ 30.00	Revised draft joint status report; email correspondence regarding attorney trial counsel appearances; draft transmittal letter to Judge Gilbert enclosing stipulation; reviewed, revised and finalized stipulation to substitute counsel; email correspondence with Mr. Thomas.
376	08/10/11	Boschen	0.90	\$ 150.00	\$ 135.00	Worked on re-labeling public disclosure documents [.4]; correspondence regarding same [.2]; updated production log [.2]; correspondence regarding correcting caption [.1].
377	08/10/11	Marshall	1.10	\$ 375.00	\$ 412.50	Worked on factual background investigation and related issues [1.1].
378	08/10/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review and analyze communications re new counsel for Montague (.25); Research and prep. for case strategy call (.5); Edit client letter (.25).
379	08/10/11	Dunne	0.10	\$ 380.00	\$ 38.00	Review and revise Notice of Appearance;
380	08/10/11	Talner	0.60	\$ 400.00	\$ 240.00	Review court file documents on three named plaintiffs and identify issues relevant to case
381	08/10/11	Fisher	2.50	\$ 330.00	\$ 825.00	Conduct research on legal standard on assistance of counsel under the Sixth Amendment;
382	08/11/11	Boschen	0.70	\$ 150.00	\$ 105.00	Telephone call to client's sister and correspondence regarding same [.1]; revised witness search list [.5]; correspondence regarding same [.1].
383	08/11/11	Marshall	7.30	\$ 375.00	\$ 2,737.50	Prepared for and participated in Rule 26(f) conference [2.2]; meetings with co-counsel regarding same and case strategy issues [4.4]; worked on discovery issues [.7].
384	08/11/11	Zuchetto	6.50	\$ 330.00	\$ 2,145.00	Travel to Seattle re Rule 26 conference and meeting w/ expert (1.5); Prepare for Rule 26 conference and participate in same (1.0); Strategy meeting w/ co-counsel and meeting w/ expert and debrief re same (4.0).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
385	08/11/11	Dunne	2.50	\$ 380.00	\$ 950.00	Teleconference with David Carlson regarding "next friend" standing; review Rule 17(c)(2) and conduct legal research concerning standard for rule; review and revise draft discovery requests; meeting with N. Talner, J. Williams, C. Fisher, T. Marshall and M. Zuchetto regarding case strategy and mediation; mtg with B. Boruchowitz regarding case and experts
386	08/11/11	Talner	1.50	\$ 400.00	\$ 600.00	Attend meeting with co-counsel and consulting expert regarding possible experts, legal standards applicable to the case, and how to gather proof that that standard is met
387	08/11/11	Williams	4.00	\$ 580.00	\$ 2,320.00	Prepare for and attend CR 26(f) conference on joint status report; discuss case strategy with T. Marshall; review correspondence from team on meeting with B. Boruchowitz; meet with ACLU attorneys and co-counsel to discuss expert witnesses; meet with B. Boruchowitz on expert witness testimony;
388	08/12/11	Kinsey	1.80	\$ 100.00	\$ 180.00	Reviewed and revised plaintiffs' first discovery requests to each defendant; prepared declaration of service regarding same; email correspondence regarding Sybrandy and Witt subpoenas.
389	08/12/11	Marshall	3.10	\$ 375.00	\$ 1,162.50	Telephone conference and email correspondence with co-counsel regarding case strategy issues [.5]; worked on same [.3]; worked on revisions to joint status report [.6]; researched and analyzed issues regarding ability to get fees where defendant voluntarily stops engaging in unconstitutional behavior [.3]; telephone call from consulting expert regarding expert issues [.2]; researched background of Mr. Boerner [.1]; email correspondence with co-counsel regarding Mr. Boerner's services as expert witness [.2]; worked on document management issues [.1]; worked on discovery issues [.7]; left message with Mr. Boerner regarding expert services [.1].
390	08/12/11	Dunne	0.20	\$ 380.00	\$ 76.00	Email correspondence with co-counsel re legal standard for next friend standing
391	08/12/11	Williams	0.50	\$ 580.00	\$ 290.00	Review draft Joint Status Report and provide comments on same;
392	08/13/11	Fisher	0.70	\$ 330.00	\$ 231.00	Draft expert retention agreements;
393	08/14/11	Marshall	3.00	\$ 375.00	\$ 1,125.00	Worked on initial disclosures [1.0]; researched and analyzed issues regarding same [.4]; worked on discovery requests to Defendants [1.0]; worked on subpoenas for documents to Mr. Sybrandy and Mr. Witt [.6].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
394	08/15/11	Marshall	2.50	\$ 375.00	\$ 937.50	Email correspondence with co-counsel regarding discovery requests [.2]; worked on same and subpoenas to Mr. Sybrandy and Mr. Witt [.5]; telephone call from Mr. Boerner regarding expert issues [.1]; email correspondence with co-counsel regarding same [.1]; telephone call from co-counsel regarding strategy for obtaining early summary judgment or preliminary injunction [.4]; telephone call from co-counsel regarding discovery issues [.1]; worked on expert issues [1.1].
395	08/15/11	Zuchetto	2.30	\$ 330.00	\$ 759.00	Work on discovery requests to Mt. V and Burlington.
396	08/15/11	Dunne	0.30	\$ 380.00	\$ 114.00	Review emails from co-counsel regarding case strategy and discovery and experts
397	08/15/11	Talner	0.50	\$ 400.00	\$ 200.00	Review and revise draft discovery requests
398	08/16/11	Kinsey	2.80	\$ 100.00	\$ 280.00	Reviewed and revised plaintiffs' initial disclosures; reviewed and revised exhibits to Sybrandy and Witt subpoenas; reviewed, revised and finalized plaintiffs' first discovery requests to City of Mount Vernon and City of Burlington; arranged delivery by messenger of same; email correspondence to and from service of process of Sybrandy and Witt subpoenas.
399	08/16/11	Boschen	5.50	\$ 150.00	\$ 825.00	Worked on Plaintiffs' Initial Disclosures and correspondence regarding same [5.5].
400	08/16/11	Marshall	4.60	\$ 375.00	\$ 1,725.00	Worked on subpoenas to Mr. Witt and Mr. Sybrandy [.4]; email correspondence with co-counsel regarding same [.1]; worked on initial disclosures [.2]; meeting with experts regarding various issues and telephone conference with co-counsel regarding same [2.9]; telephone conferences with fact witnesses and worked on issues related to same [1.0].
401	08/16/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Research and analyze injunctive and declaratory relief standards.
402	08/16/11	Dunne	0.20	\$ 380.00	\$ 76.00	Review and respond to emails from co-counsel re discovery and motion for preliminary injunction
403	08/16/11	Talner	1.60	\$ 400.00	\$ 640.00	Meet with consulting expert, potential expert, and co-counsel to discuss misdemeanor defense practices
404	08/16/11	Fisher	1.60	\$ 330.00	\$ 528.00	Research standard used by courts in regards to assistance of counsel in indigent defense cases;
405	08/16/11	Williams	1.50	\$ 580.00	\$ 870.00	Review emails on case strategy and status of experts; continue review of background materials;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
406	08/17/11	Kinsey	1.20	\$ 100.00	\$ 120.00	Reviewed, revised and finalized Sybrandy and Witt subpoenas; prepared declaration of service; arranged service of process; arranged delivery by messenger.
407	08/17/11	Boschen	4.50	\$ 150.00	\$ 675.00	Drafted letter to Ms. Osborne and prepared mailing of same [.3]; continued work on initial disclosures [4.2].
408	08/17/11	Marshall	2.00	\$ 375.00	\$ 750.00	Prepared for court hearing regarding conflict issues and travelled to Skagit County for same [1.8]; worked on initial disclosures [.2].
409	08/17/11	Zuchetto	0.75	\$ 330.00	\$ 247.50	Work on initial disclosures.
410	08/17/11	Talner	0.10	\$ 400.00	\$ 40.00	Telephone call to potential expert witness
411	08/17/11	Fisher	0.40	\$ 330.00	\$ 132.00	Draft expert retention agreements for additional experts; read emails from team; research issues;
412	08/18/11	Boschen	4.20	\$ 150.00	\$ 630.00	Continued work on initial disclosures and preparation of documents for production [3.1]; drafted letter regarding same [.2]; prepared mailing of same [.2]; correspondence regarding same [.2]; uploaded disclosures to repository [.1]; correspondence regarding experts [.1]; telephone conferences with witness [.2]; updated production log [.1].
413	08/18/11	Marshall	5.40	\$ 375.00	\$ 2,025.00	Email correspondence and telephone conference with co-counsel regarding initial disclosures and expert witnesses [.4]; telephone conference with Ms. Kenimond regarding factual background issues [.3]; worked on same [1.2]; worked on case strategy issues [.3]; telephone conferences with fact witnesses [1.8]; worked on factual background issues [1.4].
414	08/18/11	Zuchetto	2.50	\$ 330.00	\$ 825.00	Research and analyze injunctive relief, discuss same w/ co-counsel (1.75); Review and analyze Defendants' initial disclosures (.75).
415	08/18/11	Dunne	0.90	\$ 380.00	\$ 342.00	Teleconfernece with co-counsel regarding case strategy and motion for preliminary injunction; review emails from co-counsel regarding experts; review emails from co-counsel regarding documents; review and revise Plaintiff's Initial Disclosures
416	08/18/11	Talner	0.60	\$ 400.00	\$ 240.00	Telephone call with co-counsel to discuss case strategy
417	08/18/11	Fisher	4.00	\$ 330.00	\$ 1,320.00	Edit initial discovery responses; research issues for brief; conference call regarding preliminary injunction and declaratory relief motions;
418	08/19/11	Marshall	0.20	\$ 375.00	\$ 75.00	Email correspondence with expert regarding meeting [.1]; email correspondence with co-counsel regarding discovery and factual background issues [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
419	08/19/11	Dunne	0.30	\$ 380.00	\$ 114.00	Review emails from co-counsel regarding case strategy and discovery and witnesses
420	08/19/11	Talner	0.60	\$ 400.00	\$ 240.00	Telephone calls to potential expert witnesses; telephone call with potential expert witness; emails to co-counsel discussing communication with potential expert witnesses
421	08/19/11	Williams	2.00	\$ 580.00	\$ 1,160.00	Review email exchange on motion to amend complaint to add disabled plaintiff Osborn; review email exchange on expert witness and suggest process for collecting declarations; coordinate with D. Boerner on meeting to discuss expert testimony;
422	08/20/11	Fisher	5.70	\$ 330.00	\$ 1,881.00	Research and write memo regarding the right to counsel, the standard for pre-conviction Sixth Amendment claims; defenses, and relief;
423	08/21/11	Fisher	5.10	\$ 330.00	\$ 1,683.00	Write memo regarding the right to counsel, the standard for pre-conviction Sixth Amendment claims; defenses, and relief;
424	08/22/11	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on expert issues [.1]; email correspondence with co-counsel regarding same [.1].
425	08/22/11	Talner	0.10	\$ 400.00	\$ 40.00	Telephone call with potential expert; telephone call with co-counsel's paralegal regarding documents to give potential expert
426	08/22/11	Williams	2.00	\$ 580.00	\$ 1,160.00	Prepare for meeting with potential expert witness Dave Boerner;
427	08/23/11	Boschen	1.70	\$ 150.00	\$ 255.00	Loaded Plaintiffs' production to shared site [.7]; correspondence regarding same [.1]; prepared productions to expert witnesses [.2]; correspondence regarding same; updated production log [.1]; telephone conference with Burlington Municipal Court regarding hearing date [.1]; uploaded files to secure FTP [.1]; correspondence regarding media files [.1]; reviewed Burlington's discovery requests [.2]; telephone call to client's sister regarding documents [.1].
428	08/23/11	Marshall	4.90	\$ 375.00	\$ 1,837.50	Telephone calls from Ms. Johnson regarding status of incarceration and upcoming hearings [.2]; analyzed issues regarding same [.2]; reviewed documents from Ms. Osborne [.3]; analyzed issues regarding inclusion of Mr. Osborne and Ms. Johnson in lawsuit [.7]; email memorandum to co-counsel regarding same [.2]; worked on expert issues [.3]; meeting with Mr. Boerner and co-counsel regarding factual background and expert issues [2.6]; meeting with co-counsel regarding potential additional named plaintiffs [.4].
429	08/23/11	Dunne	0.20	\$ 380.00	\$ 76.00	Review emails from co-counsel regarding possible new plaintiffs

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
430	08/23/11	Talner	3.10	\$ 400.00	\$ 1,240.00	Read emails from co-counsel regarding case strategy; meet with potential expert witness and co-counsel; review newly obtained documents from one criminal case file and email co-counsel regarding issues posed by those documents.
431	08/23/11	Williams	4.00	\$ 580.00	\$ 2,320.00	Continue preparation for expert witness interview with Dave Boerner; meet with D. Boerner to discuss potential expert opinion for case; exchange emails with team on discovery requests;
432	08/24/11	Kinsey	0.40	\$ 100.00	\$ 40.00	Reviewed declarations of service of Sybrandy and Witt subpoenas; researched court filing requirements under Fed. R. Civ. P. and local rules; email correspondence regarding same;
433	08/24/11	Boschen	0.80	\$ 150.00	\$ 120.00	Correspondence regarding expert productions and retainers [.2]; drafted and emailed public disclosure request to Mount Vernon Municipal Court [.3]; correspondence regarding audio files and productions [.2]; personal conference regarding calls to potential witnesses [.1].
434	08/24/11	Marshall	4.60	\$ 375.00	\$ 1,725.00	Email to opposing counsel regarding joint status report [.1]; worked on expert and discovery issues [.4]; worked on witness interview issues [.2]; analyzed issues regarding Mr. Osborne's claims [.2]; left message with Ms. Osborne regarding factual background issues [.1]; email correspondence with co-counsel regarding same [.1]; reviewed co-counsel's memorandum regarding legal standard for preconviction Sixth Amendment claims [.4]; researched and analyzed issues regarding same [.2]; worked on outline of relief being sought on preliminary injunction [1.1]; researched and analyzed issues regarding same [1.3]; worked on factual background section for preliminary approval motion [.5].
435	08/24/11	Dunne	0.80	\$ 380.00	\$ 304.00	Meeting with J. Strait regarding expert witness; review emails from co-counsel regarding possible new plaintiffs and discovery and case strategy
436	08/25/11	Kinsey	0.90	\$ 100.00	\$ 90.00	Reviewed, revised and finalized joint status report; arranged filing.
437	08/25/11	Boschen	0.10	\$ 150.00	\$ 15.00	Updated production log [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
438	08/25/11	Marshall	8.40	\$ 375.00	\$ 3,150.00	Researched and analyzed issues regarding relief to obtain on preliminary injunction and legal standards supporting same [1.8]; drafted memorandum regarding same [1.0]; telephone call from Ms. Howson regarding factual background issues [.3]; email memorandum to opposing counsel regarding same and notices that Mr. Witt and Mr. Sybrandy send to new clients [.5]; analyzed issues regarding defendants' revisions to joint status report [.1]; email correspondence with co-counsel regarding same [.1]; worked on finalization of joint status report [.1]; reviewed Mr. Witt's objections to subpoena duces tecum [.1]; analyzed issues regarding same and motion to compel requested documents [.5]; email correspondence with co-counsel regarding same [.1]; researched and analyzed issues regarding ability of cities to shut down municipal courts [1.8]; telephone call from Mr. Howson regarding factual background issues [.2]; email to co-counsel regarding same [.2]; worked on case strategy issues [.5]; telephone conference with witness regarding factual background issues [1.1].
439	08/25/11	Dunne	0.30	\$ 380.00	\$ 114.00	Review email from A. Rosenberg regarding Joint Status Report; email correspondence with co-counsel regarding same; review response from Witt to subpoena and email correspondence with co-counsel regarding Witt's response and objections to subpoena
440	08/25/11	Talner	0.50	\$ 400.00	\$ 200.00	Read emails from co-counsel regarding case strategy; send emails to co-counsel regarding possible legal issues in the case
441	08/25/11	Williams	1.50	\$ 580.00	\$ 870.00	Review correspondence from co-counsel on discovery dispute and Joint Status Report; meet with C. Fisher to discuss process for motion to compel production from Witt and Sybrandy;
442	08/26/11	Marshall	1.20	\$ 375.00	\$ 450.00	Researched and analyzed issues regarding structure of municipal courts [.1]; email correspondence with co-counsel regarding same [.1]; telephone conference with co-counsel regarding expert issues [1.0].
443	08/26/11	Fisher	0.60	\$ 330.00	\$ 198.00	Read team emails; conduct preliminary research on consolidation of courts; review material on Grant County case;
444	08/27/11	Marshall	1.40	\$ 375.00	\$ 525.00	Worked on expert and witness issues [.2]; worked on case strategy issues [.1]; researched and analyzed issues regarding legal standards applicable to systemic, pre-certification Sixth Amendment claims [1.1].
445	08/28/11	Marshall	1.80	\$ 375.00	\$ 675.00	Researched and analyzed issues regarding legal standards for systemic, pre-certification Sixth Amendment claims [1.8].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
446	08/29/11	Boschen	0.80	\$ 150.00	\$ 120.00	Scanned and emailed expert contract [.1]; worked on supplemental witness disclosures [.3]; reviewed correspondence and potential supplemental production [.2]; correspondence regarding discovery and production [.2];
447	08/29/11	Marshall	2.80	\$ 375.00	\$ 1,050.00	Researched and analyzed issues regarding legal standards for systemic, pre-certification Sixth Amendment claims [2.8].
448	08/29/11	Bergland	0.10	\$ 190.00	\$ 19.00	Office Conference with Zuchetto re: obtaining statutory history and obtained archived version of statute available on Lexis.
449	08/29/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Analyze and research re combing municipal court w/ district court (1.25); Read and analyze discovery to plaintiffs (.25).
450	08/30/11	Boschen	0.40	\$ 150.00	\$ 60.00	Telephone call to Glen Hoff's office [.1]; researched witnesses contact information [.2]; updated supplemental witness disclosure [.1];
451	08/30/11	Marshall	4.80	\$ 375.00	\$ 1,800.00	Worked on case strategy issues [.2]; worked on amended complaint [1.6]; researched and analyzed issues regarding factual background [1.4]; worked on client contact issues [.1]; worked on witness interview issues [.4]; analyzed issues regarding Mr. Sybrandy's request for extension to produce documents [.2]; telephone conference with co-counsel regarding motion for preliminary injunction and case strategy issues [.4]; email correspondence with co-counsel regarding same [.1]; analyzed issues regarding representation of next friend [.4].
452	08/30/11	Bergland	0.20	\$ 190.00	\$ 38.00	Research re: text of RCW 3.46.155 before repeal and e-mail same to Zuchetto.
453	08/30/11	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review and analyze Sybrandy letter re Subpoena Duces Tecum and discuss w/ co-counsel.
454	08/30/11	Zuchetto	1.25	\$ 330.00	\$ 412.50	Discuss strategy and work plan re discovery responses, meet and confer and preliminary injunction (.5); review and work on same (.75).
455	08/31/11	Kinsey	0.30	\$ 100.00	\$ 30.00	Letter to Mr. Sybrandy regarding subpoena response time extension.
456	08/31/11	Marshall	4.00	\$ 375.00	\$ 1,500.00	Email correspondence with co-counsel regarding case strategy issues [.2]; analyzed issues regarding Mr. Sybrandy's request for extension on response to subpoena [.2]; drafted letter to Mr. Sybrandy regarding same [.3]; telephone conference with Ms. Osborne regarding factual background issues and participation in lawsuit [1.0]; worked on amended complaint [1.2]; researched and analyzed issues regarding factual background [1.0]; email correspondence with co-counsel regarding motion to compel production of documents by Mr. Witt [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
457	08/31/11	Fisher	5.10	\$ 330.00	\$ 1,683.00	Review material to draft motion to compel Witt to comply with subpoena duces tecum; email J. Williams regarding suggestions on how to approach compliance from Witt; organize materials; read team emails;
458	08/31/11	Williams	0.50	\$ 580.00	\$ 290.00	Exchange emails on case action items and C. Fisher approach to setting up CR 37 meeting in anticipation of motion to compel;
459	09/01/11	Kinsey	0.50	\$ 100.00	\$ 50.00	Email correspondence from opposing counsel regarding Word versions of discovery requests; arranged email delivery of same.
460	09/01/11	Boschen	0.10	\$ 150.00	\$ 15.00	Telephone conference with Mr. Hoff's office regarding client contact [.1].
461	09/01/11	Marshall	5.50	\$ 375.00	\$ 2,062.50	Worked on document management issues [.2]; worked on amended complaint [.6]; drafted declaration from Ms. Osborne [1.4]; email correspondence with co-counsel regarding same [.1]; worked on revisions to same [.1]; worked on action items list for preliminary injunction and case strategy issues [.4]; email correspondence with co-counsel regarding Ms. Osborne's involvement in case and related documents [.2]; left message with Mr. Dela Cruz regarding contact information for Ms. Montague [.1]; email correspondence with indigent defendant regarding same [.1]; worked on witness interviews [.2]; exchanged messages with Mr. Hoff's office [.1]; telephone conference with Mr. Hoff's assistant regarding discovery process in Mount Vernon and Burlington municipal courts [.2]; email correspondence with co-counsel regarding same [.2]; worked on motion to amend complaint [.6]; worked on responses to defendants' discovery requests [.2]; researched and analyzed issues regarding same [.4]; telephone conference and email correspondence with co-counsel regarding same [.3]; email correspondence with co-counsel regarding representation of Ms. Osborne [.1].
462	09/01/11	Zuchetto	2.65	\$ 330.00	\$ 874.50	Read and analyze letter to Witt counsel (.3); Work on Moon and Wilbur discovery responses (1.25); Read and analyze rep. agreement and declaration (1.1).
463	09/01/11	Fisher	4.60	\$ 330.00	\$ 1,518.00	Draft letter to M. Witt's counsel requesting a Rule 37 conference; send draft to J. Williams for approval; read emails from team; review and edit J. Osborne's declaration;
464	09/01/11	Williams	1.00	\$ 580.00	\$ 580.00	Exchange emails on addition of Jaretta Osborne as class representative; edit CR 37 letter to attorney for Witt;
465	09/02/11	Boschen	0.30	\$ 150.00	\$ 45.00	Correspondence regarding document productions to experts [.1]; updated production log [.1]; updated production log to PC document site [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
466	09/02/11	Marshall	3.80	\$ 375.00	\$ 1,425.00	Analyzed issues regarding deadline for joining additional parties [.1]; email correspondence with co-counsel regarding same [.1]; worked on witness interview issues [.3]; telephone conferences with co-counsel regarding same [.2]; worked on expert issues [.3]; email correspondence with co-counsel regarding same [.2]; email correspondence with co-counsel regarding case strategy issues [.2]; drafted letter to Ms. Osborne regarding representation [.1]; finalized documentation for Ms. Osborne to sign regarding same [.2]; email correspondence with co-counsel regarding factual background issues [.2]; worked on motion for leave to amend complaint [.8]; researched and analyzed issues regarding same [.5]; worked on amendments to complaint [.4]; email correspondence with co-counsel regarding case strategy issues [.2].
467	09/02/11	Bledsoe	0.75	\$ 120.00	\$ 90.00	Meeting with Zuchetto re: call persons on witness list who have been involved with Sybrandy or Witt (.25); Called individuals on witness list attempting to gather their information on their experience with either on of them (.5).
468	09/02/11	Zuchetto	3.00	\$ 330.00	\$ 990.00	Call to potential witnesses and discuss same w/ co-counsel (1.25); Work on Moon discovery responses (1.75).
469	09/02/11	Talner	0.20	\$ 400.00	\$ 80.00	Read emails from co-counsel regarding additional evidence and comment on that evidence
470	09/02/11	Higa	3.20	\$ 155.00	\$ 496.00	Review production log and prepare document index; download and print plaintiff production to expert D. Boerner; assemble D. Boerner working material binder for attorney review; email conference with co-counsel paralegal regarding status of production and production log, and prepare email report for attorney addressing same;
471	09/02/11	Fisher	2.10	\$ 330.00	\$ 693.00	Edit amended complaint; draft and send rule 37 conference letter to opposing counsel;
472	09/03/11	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on factual background issues [.2].
473	09/06/11	Kinsey	0.20	\$ 100.00	\$ 20.00	Reviewed, revised and finalized letter to indigent defendant.
474	09/06/11	Boschen	0.50	\$ 150.00	\$ 75.00	Correspondence regarding public disclosure requests and timelines [.2]; correspondence regarding client [.1]; correspondence regarding production [.1]; updated client contact information [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
475	09/06/11	Marshall	2.20	\$ 375.00	\$ 825.00	Email correspondence with co-counsel regarding court observations [.1]; analyzed issues regarding representation of indigent defendant [.1]; email correspondence with co-counsel regarding same [.1]; message from Ms. Johnson regarding factual background issues [.1]; telephone conference with Ms. Johnson regarding factual background issues and termination of representation [.2]; email correspondence with co-counsel regarding expert issues [.2]; worked on responses to defendants' discovery requests [.8]; researched factual background issues regarding same [.2]; reviewed letter from Mr. Sybrandy regarding objections to subpoena [.1]; researched and analyzed issues regarding same [.2]; email correspondence with co-counsel regarding same [.1].
476	09/06/11	Zuchetto	2.50	\$ 330.00	\$ 825.00	Review and analyze letter from Sybrandy re docs. (.25); Discuss w/ co-counsel (.25); Work on discovery responses re Moon, Wilbur and Montague (2.0).
477	09/06/11	Talner	1.20	\$ 400.00	\$ 480.00	Emails to co-counsel regarding getting info to and from expert witnesses; review documents in potential new plaintiff or witness's case, research issues related to it, and send comments to co-counsel
478	09/06/11	Fisher	2.70	\$ 330.00	\$ 891.00	Prepare for rule 37 conference; participate in conference with J. Williams; draft letter summarizing conference;
479	09/06/11	Williams	2.00	\$ 580.00	\$ 1,160.00	Review discovery requests to M. Witt in preparation for CR 37 conference call with Witt's attorney on objections to M. Witt subpoena; CR 37 conference with M. Witt attorney on objections and extension of time to deliver unobjectionable documents;
480	09/07/11	Boschen	1.60	\$ 150.00	\$ 240.00	Personal conference regarding discovery responses [.5]; reviewed client case history and interview notes [1]; correspondence regarding same [.1].
481	09/07/11	Marshall	2.60	\$ 375.00	\$ 975.00	Worked on responses to defendants' discovery requests [1.0]; worked on witness declarations and related issues [1.6].
482	09/07/11	Zuchetto	1.75	\$ 330.00	\$ 577.50	Work on Moon discovery responses.
483	09/07/11	Talner	0.20	\$ 400.00	\$ 80.00	Emails with co-counsel regarding discovery issues
484	09/07/11	Fisher	6.40	\$ 330.00	\$ 2,112.00	Draft letter summarizing rule 37 conference with M. Witt's attorney, J. Murphy; read emails from team regarding Osborne and amended complaint; read letter from R. Sybrandy regarding production of documents; read plaintiffs and amicus curiae brief sent by N. Talner regarding deprivation of Sixth Amendment right to indigent defendants in Texas;

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1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
485	09/07/11	Williams	0.50	\$ 580.00	\$ 290.00	Review, edit and approve CR 37 letter to attorney for Mr. Witt;
486	09/08/11	Boschen	3.90	\$ 150.00	\$ 585.00	Drafted PDR to Burlington Municipal Court and drafted email to Court regarding same [.3]; correspondence regarding same [.1]; telephone conference and correspondence with Burlington Municipal Court regarding PDR [.2]; personal conference regarding client documents and discovery [.2]; prepared cover letter and mailing of PDR payment [.2]; reviewed discovery requests and client case files [1.1]; produced additional documents to experts [.2]; updated production log and online repository [.2]; reviewed client case files and commenced drafting timeline for declaration [1.4].
487	09/08/11	Marshall	4.00	\$ 375.00	\$ 1,500.00	Worked on factual background investigations [1.2]; worked on letter to Mr. Sybrandy regarding subpoena [.6]; worked on factual background issues regarding Osbornes [1.0]; worked on declaration of Ms. Osborne [1.2].
488	09/08/11	Zuchetto	2.50	\$ 330.00	\$ 825.00	Work on Osborne/motion to amend complaint (.75); Work on response re Sybrandy subpoena issue and research re same (1.75).
489	09/08/11	Talner	0.80	\$ 400.00	\$ 320.00	Research protective order issues; email co-counsel regarding info to share with experts
490	09/08/11	Fisher	2.10	\$ 330.00	\$ 693.00	Talk with J. Williams and T. Marshall about protective orders; research protective orders in federal court; review draft of protective order;
491	09/08/11	Williams	0.50	\$ 580.00	\$ 290.00	Review email from C. Fisher on request for protective order from Witt's attorney and discussion of same with C. Fisher; review emails from ACLU's Nancy Talner on recent legal developments;
492	09/09/11	Boschen	1.90	\$ 150.00	\$ 285.00	Telephone conference with client and personal conference regarding same [1.6]; reviewed notes regarding same [.2]; printed letter to Sybrandy [.1];
493	09/09/11	Marshall	3.10	\$ 375.00	\$ 1,162.50	Telephone conference with co-counsel regarding expert issues [.5]; worked on Ms. Montague's responses to defendants' discovery requests [1.2]; drafted letter to Mr. Sybrandy regarding subpoena [.2]; telephone conference with co-counsel regarding discovery issues [.5]; worked on same [.7].
494	09/09/11	Zuchetto	0.75	\$ 330.00	\$ 247.50	Work on letter to Sybrandy.
495	09/09/11	Talner	0.30	\$ 400.00	\$ 120.00	Telephone call with co-counsel to discuss protective order issues
496	09/09/11	Fisher	1.80	\$ 330.00	\$ 594.00	Attend conference call with team to discuss protective order and other matters; read and reply to team emails; draft letter to J. Murphy in response to his request for a protective order;

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1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
497	09/09/11	Williams	1.00	\$ 580.00	\$ 580.00	Meet with C. Fisher to discuss protective order and confidentiality agreements; conference call with team on same;
498	09/10/11	Boschen	1.00	\$ 150.00	\$ 150.00	Continued work on client chronology; commenced drafting declaration for motion for preliminary injunction.
499	09/12/11	Boschen	1.30	\$ 150.00	\$ 195.00	Continued drafting client declaration for motion for preliminary injunction [1.3].
500	09/12/11	Marshall	4.10	\$ 375.00	\$ 1,537.50	Worked on motion for leave to amend complaint [.3]; researched and analyzed issues regarding same [.2]; telephone call from co-counsel regarding same [.2]; reviewed documents for factual background investigation [.8]; telephone call from co-counsel regarding discovery and case strategy issues [.4]; left message with and email to Ms. Osborne regarding declaration [.2]; worked on declaration of indigent defendant [.3]; left message with indigent defendant regarding same [.1]; email correspondence with co-counsel regarding same [.1]; email correspondence with co-counsel regarding proposed amended complaint [.1]; worked on Mr. Moon's responses to defendants' discovery requests [.7]; worked on factual background issues for preliminary injunction motion [.7].
501	09/12/11	Zuchetto	4.00	\$ 330.00	\$ 1,320.00	Work on Moon discovery responses (3.0); Review, analyze and discuss motion to amend complaint w/ co-counsel (.75); Review and analyze e-mail from Witt witness (.25).
502	09/12/11	Fisher	2.40	\$ 330.00	\$ 792.00	Edit and letter to J. Murphy regarding protective order; update research memo;
503	09/12/11	Williams	0.50	\$ 580.00	\$ 290.00	Review emails and coordinate with C. Fisher on Judge Skilton and notice of interview to opposing counsel;
504	09/13/11	Boschen	1.40	\$ 150.00	\$ 210.00	Telephone call to and correspondence with client [.2]; completed draft of client declaration for motion for preliminary injunction and correspondence regarding same [1]; reviewed client case file [.2];

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
505	09/13/11	Marshall	5.50	\$ 375.00	\$ 2,062.50	Telephone conference and email correspondence with co-counsel regarding responses to defendants' discovery requests [.5]; researched and analyzed issues regarding same [.5]; worked on responses to defendants' discovery requests [2.1]; worked on declaration of Ms. Montague [1.3]; worked on documents relating to motion for leave to amend complaint [.1]; worked on indigent defendant's declaration [.2]; telephone conference with indigent defendant regarding factual background issues and declaration [.5]; researched and analyzed issues regarding same [.3].
506	09/13/11	Bledsoe	0.50	\$ 120.00	\$ 60.00	Assist Zuchetto in review of and response to Interrogatories 1-4 in Wilbur discovery.
507	09/13/11	Zuchetto	2.80	\$ 330.00	\$ 924.00	Work on responses to Moon discovery requests.
508	09/13/11	Talner	0.40	\$ 400.00	\$ 160.00	Review draft declaration of potential witness and send comments to co-counsel
509	09/13/11	Fisher	0.20	\$ 330.00	\$ 66.00	Read team emails; conduct conference call with J. Murphy regarding production of requested documents;
510	09/14/11	Boschen	0.50	\$ 150.00	\$ 75.00	Telephone calls to and correspondence with clients [.2]; reviewed draft amended complaint [.2]; correspondence regarding same [.1];
511	09/14/11	Marshall	2.10	\$ 375.00	\$ 787.50	Worked on amended complaint [.3]; email correspondence with co-counsel regarding same [.1]; telephone conference with Ms. Osborne regarding representation and declaration [.5]; email correspondence with Ms. Osborne regarding Mr. Osborne's case file [.1]; worked on Ms. Osborne's declaration [.2]; worked on Mr. Wilbur's responses to defendants' discovery requests [.6]; telephone conference with co-counsel regarding same [.3].
512	09/14/11	Zuchetto	3.00	\$ 330.00	\$ 990.00	Work on Moon and Wilbur discovery responses (2.25); Work on motion to amend complaint (.75).
513	09/14/11	Fisher	0.90	\$ 330.00	\$ 297.00	Conduct legal research re interview of potential witnesses who are judicial officers and subpoena process for same
514	09/15/11	Kinsey	1.80	\$ 100.00	\$ 180.00	Reviewed, revised and finalized motion to amend complaint; arranged filing and service.
515	09/15/11	Boschen	1.60	\$ 150.00	\$ 240.00	Telephone calls to and correspondence with clients [.2]; telephone conferences and correspondence regarding declarations, supplemental disclosures, discovery requests [.2]; reviewed declarations, amended complaint and draft discovery responses [.3]; bates labeled supplemental production [.2]; worked on discovery responses [.7];

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
516	09/15/11	Marshall	4.20	\$ 375.00	\$ 1,575.00	Worked on document management issues [.2]; left message with Ms. Osborne regarding factual background issues [.1]; worked on supplemental disclosures [.3]; worked on Wilbur discovery responses [1.0]; telephone conference with co-counsel regarding same [.6]; worked on Montague discovery responses [.2]; reviewed Mount Vernon's discovery responses [.3]; left message with indigent defendant regarding declaration [.1]; telephone conference with Ms. Osborne regarding factual background issues [.2]; telephone conference with indigent defendant regarding factual background [.8]; worked on declaration of indigent defendant [.4].
517	09/15/11	Zuchetto	3.00	\$ 330.00	\$ 990.00	Work on response to Wilbur discovery requests (1.5); Review and analyze Mt. Vernon discovery responses (.5); Analyze standing (.5); Work on response to Montague discovery requests (.5).
518	09/15/11	Talner	0.20	\$ 400.00	\$ 80.00	Respond to co-counsel email re public defender practices
519	09/15/11	Fisher	1.20	\$ 330.00	\$ 396.00	Research whether we may contact a person that defendants designated as their witness; draft letter to opposing counsel informing them that we will be interviewing ex parte S. Skelton; update research memo;
520	09/15/11	Williams	0.50	\$ 580.00	\$ 290.00	Edit letter to defendants advising of Judge Skelton witness interview;
521	09/16/11	Marshall	6.80	\$ 375.00	\$ 2,550.00	Worked on factual background issues regarding Judge Skelton [.2]; email correspondence with co-counsel regarding same [.2]; worked on discovery issues [.4]; reviewed defendants' document production [1.0]; worked on declaration of Mr. Sanchez [.4]; researched and analyzed issues regarding same [.1]; worked on declaration of Mr. Wilbur [.3]; worked on discovery responses of Mr. Wilbur [1.0]; email correspondence with co-counsel regarding same [.2]; analyzed issues regarding factual background and testimony of Ms. Clements [.6]; worked on declaration of indigent defendant [1.0]; researched and analyzed issues regarding same [.4]; reviewed indigent defendant's case files [.8]; telephone call from indigent defendant regarding declaration [.2].
522	09/16/11	Bledsoe	2.00	\$ 120.00	\$ 240.00	Spoke with Joseph Wilbur re: discovery responses (.5); Prepare Notes re Wilbur call (.5); Drafted Montague discovery responses for Zuchetto (1.0).
523	09/16/11	Zuchetto	3.50	\$ 330.00	\$ 1,155.00	Work on Wilbur/Montague discovery responses.
524	09/16/11	Talner	0.40	\$ 400.00	\$ 160.00	Teleconference with potential expert witness and email co-counsel about that

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
525	09/16/11	Fisher	0.70	\$ 330.00	\$ 231.00	Edit and send letter to opposing counsel regarding ex parte interview with S. Skelton;
526	09/18/11	Marshall	0.10	\$ 375.00	\$ 37.50	Email correspondence with co-counsel regarding discovery responses [.1].
527	09/18/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Work on discovery responses re Wilbur/Montague.
528	09/19/11	Boschen	0.20	\$ 150.00	\$ 30.00	Telephone calls to and conferences with clients [.2];
529	09/19/11	Marshall	4.60	\$ 375.00	\$ 1,725.00	Worked on discovery responses for Montague [.4]; worked on declaration of indigent defendant [.9]; telephone conferences with indigent defendant regarding same [.3]; worked on declaration of indigent defendant [.5]; telephone conference with and email to indigent defendant regarding same [.6]; worked on discovery issues [.8]; worked on factual background investigation [.5]; worked on strategy for preliminary injunction motion [.6].
530	09/19/11	Bledsoe	1.00	\$ 120.00	\$ 120.00	Went with Zuchetto to meet Joseph Wilbur (.5); Reviewed Wilbur docs re: all charges in Mount Vernon and Burlington (.5).
531	09/19/11	Zuchetto	4.50	\$ 330.00	\$ 1,485.00	Work on Moon, Montague and Wilbur discovery responses.
532	09/19/11	Fisher	2.50	\$ 330.00	\$ 825.00	Read and reply to emails from team; draft letter to J. Murphy requesting a second CR 37 conference;
533	09/19/11	Williams	0.50	\$ 580.00	\$ 290.00	Meet with C. Fisher to discuss strategy for responding to second request from Witt attorney to postpone production of documents;
534	09/20/11	Boschen	1.70	\$ 150.00	\$ 255.00	Worked on loading defendants' production and plaintiffs' supplemental production to shared site [.8]; updated production log [.2]; loaded same to shared site [.1]; telephone conference with client [.1]; telephone conference with witness [.2]; correspondence regarding same [.1]; labeled supplemental production [.1]; telephone conference with Burlington Municipal Court [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
535	09/20/11	Marshall	6.20	\$ 375.00	\$ 2,325.00	Email correspondence with co-counsel regarding discovery issues [.2]; worked on same [.4]; telephone conferences with co-counsel regarding same [.7]; email correspondence with co-counsel regarding failure of Mr. Witt and Mr. Sybrandy to respond to subpoenas [.1]; analyzed issues regarding same [.1]; drafted letter to Mr. Sybrandy regarding same [.3]; email correspondence with co-counsel regarding same [.1]; worked on discovery responses for Ms. Montague [.7]; worked on discovery responses for Mr. Moon [.2]; worked on review of defendants' document production [.2]; worked on declaration of Mr. Howson [1.2]; email correspondence with co-counsel regarding same [.1]; worked on declaration of Ms. Johnson [.2]; telephone conference with Ms. Johnson regarding same [.5]; email correspondence with co-counsel regarding status of witness declarations [.3]; worked on factual background issues for preliminary injunction motion [.9].
536	09/20/11	Bledsoe	3.50	\$ 120.00	\$ 420.00	Met with Mr. Wilbur at treatment facility to go over discovery and get signature (1.0); Finalized Wilbur Discovery (1.0); Began drafting Wilbur declaration (1.5).
537	09/20/11	Zuchetto	5.70	\$ 330.00	\$ 1,881.00	Meeting w/ Joseph Wilbur (1.0); Work on discovery responses (1.5); Work on Moon/Montague discovery responses (2.0); Work on declarations in support of motion for preliminary injunction (.75); Review, analyze and edit CR 37 letter/e-mail and related issues re Sybrandy/Witt (.25); Review and analyze over length request and discuss w/ co-counsel (.2).
538	09/20/11	Talner	1.90	\$ 400.00	\$ 760.00	Draft outline to use in interviewing expert witness
539	09/20/11	Fisher	3.60	\$ 330.00	\$ 1,188.00	Prepare and participate in Rule 37 conference with J. Murphy regarding discovery production; draft letter to J. Murphy summarizing Rule 37 conference; send C. Kness all letters sent and received regarding M. Witt and J. Murphy; update research on sixth amendment right to counsel;
540	09/20/11	Williams	0.60	\$ 580.00	\$ 348.00	Review draft CR 37 dispute letter to attorney for Richard Sybrandy; review defendant's Motion for Overlength Brief;
541	09/21/11	Boschen	0.80	\$ 150.00	\$ 120.00	Email correspondence with client regarding discovery [.1]; correspondence regarding declarations [.1]; downloaded and OCR'd Witt production in response to SDT [.3]; updated production log [.2]; correspondence with expert [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
542	09/21/11	Marshall	6.00	\$ 375.00	\$ 2,250.00	Telephone call from Ms. Talner regarding rescheduling of meeting with Ms. Jackson [.1]; email correspondence with co-counsel regarding witness declarations and motion for preliminary injunction [.2]; worked on discovery issues [.4]; researched and analyzed issues regarding applicable evidentiary standards for preliminary injunction motions [.2]; email correspondence and telephone conference with co-counsel regarding same [.2]; worked on factual background section of preliminary injunction motion [3.1]; reviewed documents produced by Mr. Witt [.5]; reviewed defendants' discovery responses and document production [.8]; worked on factual background issues [.5].
543	09/21/11	Bledsoe	2.10	\$ 120.00	\$ 252.00	Finalize draft Wilbur declaration for Zuchetto (1.0); Work on finalized versions of discovery (1.1).
544	09/21/11	Zuchetto	2.75	\$ 330.00	\$ 907.50	Work on Wilbur declaration (2.5); Research re evidentiary standards prelim. injunction (.25).
545	09/21/11	Talner	2.50	\$ 400.00	\$ 1,000.00	Review draft declarations of potential witnesses; review pleadings filed recently; review discovery responses and documents obtained or received to date; revise outline for expert witness interview
546	09/21/11	Fisher	1.00	\$ 330.00	\$ 330.00	Coordinate scanning and uploading of discovery documents from M. Witt; read and reply to emails from team;
547	09/22/11	Kinsey	0.70	\$ 100.00	\$ 70.00	Reviewed order to show cause; prepared Chambers notebook regarding motion to amend; transmit to chambers.
548	09/22/11	Boschen	6.80	\$ 150.00	\$ 1,020.00	Correspondence regarding discovery, declarations, and experts [.3]; worked on document review and indexing of same [6.5].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
549	09/22/11	Marshall	4.40	\$ 375.00	\$ 1,650.00	Worked on witness declaration issues [.1]; worked on discovery issues [.3]; prepared for call with Mr. Sybrandy regarding document production [.3]; telephone conference with Mr. Sybrandy regarding same [.4]; researched and analyzed issues regarding payment of expenses incurred in responding to subpoena [.4]; email correspondence with co-counsel regarding same and suggestions for dealing with Mr. Sybrandy [.4]; email correspondence with co-counsel regarding motion for preliminary injunction [.3]; analyzed issues regarding order to show cause on failure to delivery hard copy of motion for leave to amend complaint [.1]; worked on response to same [.2]; worked on declaration of Mr. Wilbur [.3]; telephone conference with co-counsel regarding same [.2]; worked on factual background section of motion for preliminary injunction [.5]; reviewed RFAs to Wilbur [.1]; email to co-counsel regarding same [.1]; email correspondence with co-counsel regarding witness declarations [.2]; reviewed indigent defendant's case file [.3]; email correspondence with co-counsel regarding same [.1]; worked on indigent defendant's declaration [.1].
550	09/22/11	Zuchetto	3.90	\$ 330.00	\$ 1,287.00	Work on Moon, Montague and Wilbur discovery responses (1.0); Prepare for and participate in Rule 37 conference re Sybrandy (1.0); Research re subpoena requirements (.5); Draft letter to Sybrandy re same (.2); Work on Wilbur declaration re motion for preliminary injunction (1.2).
551	09/22/11	Talner	4.20	\$ 400.00	\$ 1,680.00	Review documents exchanged in discovery and witness responses to subpoenas; prepare for expert witness interview; comment on draft witness declarations and discovery responses
552	09/22/11	Fisher	8.40	\$ 330.00	\$ 2,772.00	Revise and update legal memo for team; draft legal section for preliminary injunction;
553	09/23/11	Kinsey	0.80	\$ 100.00	\$ 80.00	Finalized response to motion to show cause; arranged filing and service of response to motion to show cause. reviewed, revised and finalized letter to Mr. Sybrandy regarding subpoena compliance.
554	09/23/11	Boschen	5.90	\$ 150.00	\$ 885.00	Telephone call to client [.1]; personal conference regarding client and document review [.1]; continued work on document review [2.2]; revised Declaration of Angela Montague and reviewed case file [3.1]; prepared mailing of declaration and discovery responses to client [.3]; telephone call to client to confirm mailing address [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
555	09/23/11	Marshall	8.10	\$ 375.00	\$ 3,037.50	Worked on discovery issues [.1]; worked on declaration of Mr. Howson [.5]; worked on factual background section of preliminary injunction motion [3.3]; to meeting with co-counsel and Ms. Jackson regarding declaration [.3]; attended same [2.2]; returned from same [.3]; worked on declaration of Ms. Montague [.8]; reviewed documents and analyzed issues regarding factual background [.6].
556	09/23/11	Zuchetto	2.25	\$ 330.00	\$ 742.50	Work on Wilbur declaration re preliminary injunction.
557	09/23/11	Dunne	0.40	\$ 380.00	\$ 152.00	Review email from co-counsel re case strategy and review declaration of J. Wilbur
558	09/23/11	Talner	3.30	\$ 400.00	\$ 1,320.00	Interview expert witness; review and revise on plaintiff declaration
559	09/23/11	Fisher	6.20	\$ 330.00	\$ 2,046.00	Draft legal section of preliminary injunction; read and reply to team emails;
560	09/24/11	Marshall	6.50	\$ 375.00	\$ 2,437.50	Worked on declaration of Mr. Moon [.2]; worked on factual background section of motion for preliminary injunction [6.3].
561	09/24/11	Zuchetto	0.25	\$ 330.00	\$ 82.50	Work on Moon declaration.
562	09/25/11	Marshall	3.40	\$ 375.00	\$ 1,275.00	Worked on factual background section for preliminary injunction motion [3.2]; email correspondence with co-counsel regarding factual background issues [.2].
563	09/26/11	Haynes	2.60	\$ 190.00	\$ 494.00	Research into motion for leave to amend standing issue (2.6).
564	09/26/11	Marshall	4.90	\$ 375.00	\$ 1,837.50	Worked on factual background section of motion for preliminary injunction [2.9]; email correspondence with co-counsel regarding same [.1]; email correspondence with co-counsel regarding witness declarations [.2]; left message with Mr. Howson regarding declaration [.1]; telephone conference with and email correspondence with Mr. Howson regarding same [.2]; reviewed defendants' response to motion for leave to amend complaint [.2]; analyzed issues regarding same [.2]; email correspondence and telephone conference with co-counsel regarding legal section for preliminary injunction motion [.3]; drafted motion for additional pages on preliminary injunction motion [.3]; worked on filing of same [.2]; email to client regarding factual background issues [.2].
565	09/26/11	Zuchetto	0.80	\$ 330.00	\$ 264.00	Read and analyze response re motion to amend complaint (.2); Discuss/e-mail co-counsel re same (.1); Read and analyze motion for preliminary injunction (.25); Discuss/e-mail co-counsel re same (.25).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
566	09/26/11	Dunne	2.20	\$ 380.00	\$ 836.00	Meeting with J. Strait regarding expert testimony and declaration; email correspondence with Strait regarding expert declaration and evidence; prepare for meeting with J. Strait
567	09/26/11	Fisher	5.90	\$ 330.00	\$ 1,947.00	Interview J. Strait for declaration; draft preliminary injunction legal argument section; read and reply to team emails;
568	09/27/11	Haynes	5.90	\$ 190.00	\$ 1,121.00	Research into Osborne standing issue re: motion for leave to amend (4.0), drafted memorandum regarding same (1.9).
569	09/27/11	Kinsey	0.20	\$ 100.00	\$ 20.00	Prepared draft of reply memorandum in support of motion to amend complaint.
570	09/27/11	Boschen	6.30	\$ 150.00	\$ 945.00	Telephone calls and correspondence to clients [.2]; personal conferences and correspondence regarding motion for preliminary injunction [.5]; pulled documents for motion for preliminary injunction [5.2]; reviewed defendant's video production [.4].
571	09/27/11	Marshall	7.40	\$ 375.00	\$ 2,775.00	Email correspondence with client regarding factual background issues [.1]; worked on issues regarding witness declarations [.4]; telephone calls from indigent defendants regarding same [.3]; telephone call from co-counsel regarding preliminary injunction motion and defendants' response to motion for leave to amend [.4]; email to co-counsel regarding same [.1]; worked on factual background section of motion for preliminary injunction [1.4]; worked on declaration of Mr. Boerner [.3]; telephone conference with co-counsel regarding same [.2]; worked on reply in support of motion for leave to amend [4.2].
572	09/27/11	Bledsoe	0.25	\$ 120.00	\$ 30.00	Revisions re Wilbur declaration.
573	09/27/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Call w/ Jeremy Moon re declaration (.5); Analyze and edit Boerner declaration (1.2); Strategy meeting (.3).
574	09/27/11	Dunne	0.70	\$ 380.00	\$ 266.00	Telephone conferences with co-counsel regarding case strategy and cross-motion for preliminary injunction
575	09/27/11	Talner	1.80	\$ 400.00	\$ 720.00	Discussions with co-counsel regarding case strategy and scheduling, research motions issue
576	09/27/11	Fisher	4.20	\$ 330.00	\$ 1,386.00	Draft legal section for preliminary injunction; read and reply to team emails;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
577	09/27/11	Williams	6.00	\$ 580.00	\$ 3,480.00	Meet with C. Kness to discuss management of documents; conference call with N. Talner on motion strategy; meet with D. Burman on litigation strategy; conference call with ACLU on strategy of filing cross-motion for preliminary injunction; conference call with full litigation team on timing of motion for preliminary injunction; edit D. Boerner declaration and coordinate with litigation team;
578	09/28/11	Haynes	0.40	\$ 190.00	\$ 76.00	Analyzed issues regarding standing (.4).
579	09/28/11	Kinsey	0.20	\$ 100.00	\$ 20.00	Telephone conference with Ms. Osborne regarding declaration; prepared template for Mr. Howson declaration.
580	09/28/11	Boschen	5.20	\$ 150.00	\$ 780.00	Continued work on motion for preliminary injunction and personal conferences and correspondence regarding same[5]; correspondence regarding expert productions and search for documents related to same [.2];
581	09/28/11	Marshall	2.00	\$ 375.00	\$ 750.00	Worked on reply in support of motion to amend complaint and researched and analyzed issues regarding same [2.0].
582	09/28/11	Marshall	3.30	\$ 375.00	\$ 1,237.50	Worked on issues regarding motion for leave to amend complaint [2.2]; worked on factual background issues [.4]; worked on discovery and expert issues [.7].
583	09/28/11	Bledsoe	0.50	\$ 120.00	\$ 60.00	Finished gathering data for Wilbur Requests for Admission.
584	09/28/11	Zuchetto	4.50	\$ 330.00	\$ 1,485.00	Work on motion for Preliminary Injunction (.7); Work on Boerner declaration (1.0); Work on Montague discovery responses (1.1); Review Witt reimbursement request response (.2); Work on response to Requests for Admission (1.5).
585	09/28/11	Fisher	3.30	\$ 330.00	\$ 1,089.00	Draft letter to opposing counsel requesting a rule 37 conference; draft preliminary injunction motion; read and reply to team emails;
586	09/28/11	Williams	5.50	\$ 580.00	\$ 3,190.00	Review and approve CR 37 demand letter to defendants; exchange emails with litigation team on D. Boerner comments regarding defendants' request for expert testimony; review and edit draft statement of facts for plaintiffs' motion for preliminary injunction and opposition to motion for summary judgment; conference call with D. Boerner on status of case and plan for presenting D. Boerner declaration for review and edit;
587	09/29/11	Boschen	0.30	\$ 150.00	\$ 45.00	Correspondence with client[.1]; downloaded audio files from co-counsel [.1]; telephone calls to clients [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
588	09/29/11	Marshall	8.70	\$ 375.00	\$ 3,262.50	Analyzed issues regarding filing of motion for preliminary injunction [.1]; telephone call from and email correspondence with co-counsel regarding issues with Mr. Witt's request for payment [.2]; researched and analyzed issues regarding defendants' response to motion for leave to amend complaint [3.1]; worked on reply to same [5.3].
589	09/29/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review and analyze Def's motion for summary judgment (.75); Call w/ Jeremy Moon (.25).
590	09/29/11	Fisher	4.50	\$ 330.00	\$ 1,485.00	Write letter to J. Murphy regarding discovery progression and reimbursement; draft preliminary motion; read and reply to team emails; call with T. Marshall to discuss reimbursement;
591	09/29/11	Williams	6.50	\$ 580.00	\$ 3,770.00	Review and edit motion for preliminary injunction and opposition to motion for summary judgment; coordinate with C. Fisher on discovery dispute with Witt's attorney and letter on same; begin editing proposed order for injunctive relief; begin reviewing and analyzing Defendants' Summary Judgment motion against J. Wilber;
592	09/30/11	Haynes	0.90	\$ 190.00	\$ 171.00	Researched and analyzed issues regarding reply to motion to amend complaint (.9)
593	09/30/11	Kinsey	1.30	\$ 100.00	\$ 130.00	Reviewed, revised and finalized reply in support of motion to amend; reviewed and assembled appendix; arranged filing and service;
594	09/30/11	Boschen	6.50	\$ 150.00	\$ 975.00	Prepared mailings to clients [.5]; continued document review and indexing [5.6]; researched client active cases and correspondence regarding same [.2]; correspondence with co-counsel regarding document production [.1]; telephone calls to municipal courts for client case status update [.1];
595	09/30/11	Marshall	4.40	\$ 375.00	\$ 1,650.00	Worked on reply in support of motion for leave to amend complaint [1.8]; telephone conferences and email correspondence with co-counsel regarding same [.6]; reviewed documents produced by Mr. Witt and analyzed issues regarding factual background [.4]; analyzed issues regarding deposition notices [.2]; reviewed defendants' motions for summary judgment [.7]; telephone conference with co-counsel regarding same and case strategy issues [.7].
596	09/30/11	Bledsoe	0.50	\$ 120.00	\$ 60.00	Put together/compiled date for Wilbur Requests for Admission's for Zuchetto.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
597	09/30/11	Zuchetto	1.10	\$ 330.00	\$ 363.00	Analyze, discuss response re dep notices w/ co-counsel (.25); Work on response re motion to amend complaint (.75); Review/analyze expert declaration re Jackson (.1).
598	09/30/11	Fisher	4.10	\$ 330.00	\$ 1,353.00	Participate in call with J. Murphy; draft preliminary injunction motion; participate in call with N. Talner regarding standing issues; edit plaintiffs reply in support of plaintiffs motion for leave to amend complaint; read and reply to team emails;
599	09/30/11	Williams	4.50	\$ 580.00	\$ 2,610.00	Conference call with M. Witt attorney on production of documents; meet with C. Fisher on strategy for drafting preliminary injunction motion; review and comment on Plaintiffs' reply brief on motion to amend;
600	10/02/11	Fisher	2.50	\$ 330.00	\$ 825.00	Write letter to opposing counsel regarding deposition dates for J. Wilbur, J. Moon, and A. Montague; write motion for preliminary injunction;
601	10/03/11	Talner	3.50	\$ 400.00	\$ 1,400.00	Review cities' summary judgment motions and exhibits and draft notes responding to them
602	10/03/11	Fisher	4.00	\$ 330.00	\$ 1,320.00	Write letters to opposing counsel regarding depositions; write preliminary injunction;
603	10/03/11	Williams	1.50	\$ 580.00	\$ 870.00	Review and provide input to C. Fisher on letters regarding deposition notice coordination;
604	10/04/11	Boschen	0.20	\$ 150.00	\$ 30.00	Correspondence regarding preliminary injunction exhibits [.2].
605	10/04/11	Fisher	4.20	\$ 330.00	\$ 1,386.00	Write preliminary injunction motion; write letter to opposing counsel regarding second request for initial CR 37 conference;
606	10/04/11	Williams	4.00	\$ 580.00	\$ 2,320.00	Review summary judgment motions against plaintiffs Moon and Montague; review discovery dispute letters from plaintiffs' counsel on deposition scheduling; coordinate with C. Fisher on motion for protective order; coordinate with C. Fisher on response to opposing counsel; draft CR 37 letter to opposing counsel on re-noting of depositions;
607	10/05/11	Boschen	1.00	\$ 150.00	\$ 150.00	Reviewed case-related articles; telephone calls to and conference with Sun Ray Court; telephone call to and correspondence with client; telephone conference and correspondence with Mr. Howson; telephone conference with co-counsel regarding protective order.
608	10/05/11	Bledsoe	0.05	\$ 120.00	\$ 6.00	Attempt to call Jeremy Moon regarding signature for declaration; No response.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
609	10/05/11	Fisher	8.10	\$ 330.00	\$ 2,673.00	Research and write section regarding concurrent grant of preliminary injunction and denial and summary judgment; write motion for protective order regarding depositions; write C. Fisher declaration in support of motion; write proposed order for motion;
610	10/05/11	Williams	7.50	\$ 580.00	\$ 4,350.00	Review and edit Plaintiffs' Cross-Motion for Preliminary Injunction and Opposition to Defendants' Motions for Summary Judgment; finalize discovery dispute letter to counsel for Defendants; coordinate with C. Fisher on drafting Motion for Protective Order;
611	10/06/11	Boschen	0.30	\$ 150.00	\$ 45.00	Correspondence regarding deposition scheduling and motion for protective order [.2]; reviewed, signed and scanned declaration [.1].
612	10/06/11	Fisher	3.40	\$ 330.00	\$ 1,122.00	Edit motion for protective order; edit C. Fisher declaration in support of motion; edit proposed order for motion; draft J. Boschen's declaration in support of motion; review R. Howson declaration;
613	10/06/11	Williams	6.00	\$ 580.00	\$ 3,480.00	Edit plaintiffs' cross-motion for preliminary injunction and opposition to motions for summary judgment; edit motion for protective order and declaration supporting same;
614	10/07/11	Boschen	0.60	\$ 150.00	\$ 90.00	Worked on searching for new numbers for Steven Skelton [.5]; telephone call to witness regarding declaration [.1];
615	10/07/11	Bledsoe	0.05	\$ 120.00	\$ 6.00	Attempt to call Jeremy Moon regarding signature on declaration; No answer.
616	10/07/11	Fisher	1.50	\$ 330.00	\$ 495.00	Meet with J. Williams to discuss preliminary injunction motion and response to summary judgment; review defendants' motion to stay preliminary injunction or expedite discovery;
617	10/07/11	Williams	7.50	\$ 580.00	\$ 4,350.00	Review Defendants' Motion to Stay Plaintiffs' Preliminary Injunction; edit draft preliminary injunction order; meet with C. Fisher to discuss additional legal research for preliminary injunction brief;
618	10/09/11	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on various issues regarding discovery and motion practice [.4].
619	10/09/11	Fisher	0.80	\$ 330.00	\$ 264.00	Edit preliminary injunction motion and response to summary judgment;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
620	10/10/11	Marshall	5.90	\$ 375.00	\$ 2,212.50	Worked on factual background issues regarding motions for summary judgment and preliminary injunction [2.5]; email correspondence with co-counsel regarding same [.2]; reviewed plaintiffs' motion for protective order [.2]; reviewed defendants' motion for stay of hearing on preliminary injunction [.1]; analyzed issues regarding defendants' motions for summary judgment [.6]; worked on response to same [.3]; telephone conference and email correspondence with co-counsel regarding same [.4]; worked on expert issues and telephone conference with consulting expert and co-counsel regarding same [1.6].
621	10/10/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Call w/ consulting expert re case strategy (.5); Calls to Jeremy Moon re declaration (.2); discuss same w/ co-counsel and related dep. dates (.1); Review and analyze motion for protective order and motion to stay discovery (.5); e-mail co-counsel re same (.2).
622	10/10/11	Fisher	8.10	\$ 330.00	\$ 2,673.00	Edit preliminary injunction motion and response to summary judgment; research additional support for various arguments;
623	10/10/11	Williams	5.00	\$ 580.00	\$ 2,900.00	Edit draft preliminary injunction order and coordinate with C. Fisher on revised cross-motion for preliminary injunction; coordinate with litigation team on status of witness declarations and discovery;
624	10/11/11	Boschen	3.60	\$ 150.00	\$ 540.00	Correspondence and personal conferences regarding preliminary injunction [.2]; updated production log [.2]; prepared index of documents produced to expert [.3]; correspondence regarding potential witness [.1]; telephone conference with client [.1]; continued work on motion for preliminary injunction and correspondence and personal conferences regarding same [2.7].
625	10/11/11	Marshall	9.50	\$ 375.00	\$ 3,562.50	Worked on response to motions for summary judgment and cross-motion for preliminary injunction and supporting papers and researched and analyzed issues regarding same [8.7]; telephone conference with witness regarding factual background issues [.4]; worked on response to motion to stay preliminary injunction motion [.4].
626	10/11/11	Zuchetto	3.00	\$ 330.00	\$ 990.00	Strategy session re Preliminary Injunction and Summary Judgment response (.75); Work on Preliminary Injunction motion and response to Summary Judgment (1.5); Work on contacting Moon Preliminary Injunction motion (.25); Work on expert/Jackson declaration (.5).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
627	10/11/11	Dunne	0.90	\$ 380.00	\$ 342.00	Telephone conference with co-counsel regarding case strategy, discovery and cross-motion for preliminary injunction motion
628	10/11/11	Talner	3.80	\$ 400.00	\$ 1,520.00	Emails with co-counsel re possible new witness; revisions to expert declaration; revisions to draft injunction motion and response to summary judgment; conference call with co-counsel re case strategy
629	10/11/11	Fisher	4.10	\$ 330.00	\$ 1,353.00	Meet with team to discuss preliminary injunction and response to summary judgment motion; draft opposition to defendants motion to stay preliminary injunction hearing or expedite discovery;
630	10/11/11	Williams	7.00	\$ 580.00	\$ 4,060.00	Prepare for and participate in conference call with litigation team on strategy for filing preliminary injunction motion and opposing discovery motion; coordinate with D. Boerner on finalized version of declaration; exchange emails and meet with C. Fisher on strategy and arguments to oppose motion to stay injunction and expedite discovery; edit draft opposition to defendant's motion to stay preliminary injunction or expedite discovery;
631	10/12/11	Boschen	9.80	\$ 150.00	\$ 1,470.00	Continued work on factual section of motion for preliminary injunction; correspondence and personal conferences regarding same; telephone conferences with Skagit County Jail regarding Ms. Perez Vargas; researched witness address, contacts, and prior cases; correspondence regarding same; reviewed supplemental production.
632	10/12/11	Marshall	11.30	\$ 375.00	\$ 4,237.50	Email to indigent defendant regarding witness declaration [.1]; worked on witness declaration issues [.1]; email correspondence with consulting expert regarding preliminary injunction motion [.2]; telephone conferences with co-counsel regarding same [.4]; worked on preliminary injunction motion and response to summary judgment motions [10.5].
633	10/12/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Strategy call re Preliminary Injunction motion (.5); Work on response re motion to stay (.5); Work on Moon declaration (.5).
634	10/12/11	Dunne	1.20	\$ 380.00	\$ 456.00	Conduct legal research for opposition to defendants' summary judgment motion and cross-motion for preliminary injunction
635	10/12/11	Talner	0.70	\$ 400.00	\$ 280.00	Emails with co-counsel regarding possible new witness

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
636	10/12/11	Williams	6.50	\$ 580.00	\$ 3,770.00	Edit Plaintiffs' Opposition to Defendants' Motion to Stay Preliminary Injunction and Expedite Discovery; meet with C. Fisher to discuss same; coordinate with trial team on additional research and writing issues for the cross-motion for preliminary injunction and begin drafting segment on Monell standard;
637	10/13/11	Boschen	11.50	\$ 150.00	\$ 1,725.00	Travel to Mount Vernon for client meeting and to Municipal Court for Public Disclosure Request; return travel from Mount Vernon; continued work on motion for preliminary injunction; personal conferences and correspondence regarding same.
638	10/13/11	Marshall	6.80	\$ 375.00	\$ 2,550.00	Worked on response to summary judgment motions, motion for preliminary injunction, and supporting papers [6.8].
639	10/13/11	Zuchetto	0.75	\$ 330.00	\$ 247.50	Work on Preliminary Injunction motion and Summary Judgment response (.25); Strategy call re same (.25); Review and analyze Court's ruling re depositions re same (.25).
640	10/13/11	Dunne	3.10	\$ 380.00	\$ 1,178.00	Telephone conference with J. Strait regarding declaration and case; telephone conference with co-counsel regarding cross-motion for preliminary injunction and case strategy; conduct legal research on standing for opposition to summary judgment
641	10/13/11	Talner	0.90	\$ 400.00	\$ 360.00	Discuss legal issues in summary judgment response with co-counsel
642	10/13/11	Williams	8.00	\$ 580.00	\$ 4,640.00	Continue legal research and edit insert for brief analyzing Monell and deliberate indifference standard; conference call with trial team on status of cross-motion and collection of evidence; review order from Court on re-noting of Defendants' Motion to Stay; exchange emails with litigation team on filing of cross-motion;
643	10/14/11	Boschen	9.50	\$ 150.00	\$ 1,425.00	Continued work on motion for preliminary injunction; drafted declaration in support of same; correspondence regarding same.
644	10/14/11	Zuchetto	0.50	\$ 330.00	\$ 165.00	Work on motion for Preliminary Injunction and opposition to Summary Judgment.
645	10/14/11	Talner	2.80	\$ 400.00	\$ 1,120.00	Research issues related to summary judgment response; teleconference with expert witnesses; email co-counsel with updates about the case
646	10/14/11	Fisher	0.90	\$ 330.00	\$ 297.00	Edit Monell argument section; review and edit cross-motion;
647	10/14/11	Williams	5.00	\$ 580.00	\$ 2,900.00	Edit and finalize cross-motion insert on Monell deliberate indifference standard; exchange emails with litigation team on collection of declarations and additional inserts on legal issues;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
648	10/16/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Work on motion for preliminary injunction and opposition to summary judgment (1.0); Work on response to Wilbur Requests for Admission (.5).
649	10/16/11	Dunne	2.50	\$ 380.00	\$ 950.00	Conduct legal research for opposition for defendants' motion for summary judgment and cross-motion for preliminary injunction; review and revise opposition for summary judgment and cross-motion for preliminary injunction
650	10/16/11	Williams	2.50	\$ 580.00	\$ 1,450.00	Edit cross- motion and opposition to Motions for Summary Judgment;
651	10/17/11	Boschen	0.20	\$ 150.00	\$ 30.00	Reviewed motion for preliminary injunction and opposition to defendants' motions for summary judgment; correspondence regarding same [.2].
652	10/17/11	Zuchetto	1.25	\$ 330.00	\$ 412.50	Work on motion for Preliminary Injunction and opposition to Summary Judgment.
653	10/17/11	Dunne	1.40	\$ 380.00	\$ 532.00	Conduct legal research for opposition for defendants' motion for summary judgment and cross-motion for preliminary injunction; review and revise opposition for summary judgment and cross-motion for preliminary injunction; correspondence with J. Strait regarding declaration
654	10/17/11	Talner	4.50	\$ 400.00	\$ 1,800.00	Meet with expert witness; revisions to expert declaration; review final drafts of summary judgment response and plaintiffs' preliminary injunction motion
655	10/17/11	Williams	7.50	\$ 580.00	\$ 4,350.00	Finalize cross-motion for preliminary injunction and opposition to defendants' motions for summary judgment; review declarations of expert witnesses, John Strait and Chris Jackson in support of cross-motion; review Court's order denying in part the motion to amend and add Osborne as plaintiff;
656	10/18/11	Boschen	1.40	\$ 150.00	\$ 210.00	Telephone conference with Sun Ray Courte regarding client [.1]; correspondence regarding same [.1]; worked on tracking productions and updating production log [1.2].
657	10/18/11	Zuchetto	0.25	\$ 330.00	\$ 82.50	Work on dep. preparations.
658	10/18/11	Fisher	0.60	\$ 330.00	\$ 198.00	Call A. Cooley to discuss deposition dates; email team discussion regarding deposition dates;
659	10/19/11	Boschen	2.20	\$ 150.00	\$ 330.00	Researched client case history [.1]; reviewed, labeled and managed defendants' productions [1.9]; updated production log [.2].
660	10/19/11	Talner	0.50	\$ 400.00	\$ 200.00	Emails with co-counsel regarding fact developments in named plaintiffs' criminal cases

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
661	10/19/11	Fisher	2.30	\$ 330.00	\$ 759.00	Draft letter to A. Cooley summarizing October 18th phone call; draft letter to A. Cooley regarding deposition locations; draft reply brief for protective order;
662	10/19/11	Williams	1.10	\$ 580.00	\$ 638.00	Review and edit letter to counsel for defendants on place of depositions; meet with C. Fisher to discuss letter to counsel for defendants; exchange emails with team on strategy;
663	10/20/11	Kinsey	0.70	\$ 100.00	\$ 70.00	Drafted and finalized notice of withdrawal for Montague in Burlington Municipal Court action; arranged filing and service.
664	10/20/11	Boschen	1.60	\$ 150.00	\$ 240.00	Personal conferences regarding declarations and client status [.7]; telephone calls to clients [.1]; drafted declaration of Angela Montague ISO Motion for Protective Order and correspondence regarding same [.5]; reviewed case records from public disclosure request [.2]; scanned and emailed same [.1].
665	10/20/11	Marshall	7.10	\$ 375.00	\$ 2,662.50	Email correspondence with co-counsel regarding deposition scheduling [.1]; worked on notice of withdrawal from representation of Montague in Burlington municipal court [.1]; worked on various briefing issues [2.2]; worked on discovery issues [3.7]; telephone conference with Mr. Hoff regarding warrant issues and worked on same [.5]; reviewed declaration of Mr. Stendal and analyzed issues regarding same [.5].
666	10/20/11	Zuchetto	3.30	\$ 330.00	\$ 1,089.00	Work on responses to Requests for Admission (2.5); Review and analyze depo. location/protective order reply argument and e-mail co-counsel re same (.5); Read and analyze Stendal declaration (.3).
667	10/20/11	Talner	0.90	\$ 400.00	\$ 360.00	Review and comment on draft requests for admission
668	10/20/11	Fisher	4.20	\$ 330.00	\$ 1,386.00	Write reply brief for protective order;
669	10/21/11	Boschen	1.20	\$ 150.00	\$ 180.00	Telephone calls to and conferences with Whatcom County Jail; correspondence regarding same; correspondence with clients regarding deposition schedule; labeled defendant Burlington's second supplemental production; updated production log; loaded defendant documents onto PC document site; personal conferences and correspondence regarding deposition schedules and motion for protective order.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
670	10/21/11	Marshall	5.60	\$ 375.00	\$ 2,100.00	Worked on reply in support of protective order on depositions [.8]; researched and analyzed issues regarding same [.3]; email correspondence with co-counsel regarding same [.2]; worked on Mr. Wilbur's responses to RFAs [.7]; telephone conference and email correspondence with co-counsel regarding same [.2]; telephone call from Ms. Montague regarding declaration in support of protective order motion on depositions [.2]; worked on revisions same [.1]; email correspondence with co-counsel regarding same [.1]; worked on discovery issues [3.0].
671	10/21/11	Zuchetto	5.70	\$ 330.00	\$ 1,881.00	Work on responses to Wilbur Requests for Admission (3.7); Read and analyze def's response to Summary Judgment (.75); Litigation strategy conference (1.0); Edit reply re protective order (.25).
672	10/21/11	Dunne	2.20	\$ 380.00	\$ 836.00	Review and respond to email correspondence from co-counsel regarding case strategy and discovery issues; review email correspondence from opposing counsel regarding discovery; conference call with co-counsel re case strategy and depositions; review draft of plaintiffs' reply brief for protective order
673	10/21/11	Talner	1.50	\$ 400.00	\$ 600.00	Conference call with co-counsel regarding case strategy and discuss preparation for depositions with Sarah Dunne
674	10/21/11	Fisher	4.20	\$ 330.00	\$ 1,386.00	Write reply brief for protective order; write declaration for reply brief; write proposed order for protective order; file brief, organize folders; participate in conference call with team; file letter of withdrawal with court;
675	10/21/11	Williams	1.50	\$ 580.00	\$ 870.00	Participate in litigation team strategy conference call on deposition coverage and defendants' summary judgment reply briefs; coordinate with C. Fisher on finalization of reply brief and declaration on plaintiffs' motion for protective order;
676	10/23/11	Marshall	0.30	\$ 375.00	\$ 112.50	Email correspondence with Ms. Montague and co-counsel regarding scheduling of prep session for deposition [.1]; email correspondence with co-counsel regarding discovery issues [.2].
677	10/23/11	Zuchetto	0.25	\$ 330.00	\$ 82.50	Work on response to defense counsel re Rule 37 conference.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
678	10/24/11	Marshall	4.30	\$ 375.00	\$ 1,612.50	Worked on discovery issues [.2]; reviewed defendants' reply in support of summary judgment and motion to strike [.3]; researched and analyzed issues regarding standing and mootness [1.3]; email correspondence with co-counsel regarding same [.2]; researched and analyzed issues regarding motion to strike [1.5]; email correspondence with co-counsel regarding deposition scheduling [.2]; telephone conferences with Whatcom County Jail regarding Mr. Moon [.4]; worked on forms for access to inmates at Whatcom County Jail [.2].
679	10/24/11	Zuchetto	4.80	\$ 330.00	\$ 1,584.00	Work on responses to Requests for Admission (3.3); Draft letter to defense counsel re meet and confer (1.0); Analyze standing and e-mail co-counsel re same (.5).
680	10/24/11	Talner	0.80	\$ 400.00	\$ 320.00	Emails with co-counsel regarding discovery issues
681	10/24/11	Fisher	2.30	\$ 330.00	\$ 759.00	Meet with team to discuss status and depositions; look at notes from meeting; prepare for depositions;
682	10/24/11	Williams	0.80	\$ 580.00	\$ 464.00	Coordinate with C. Fisher on plans for Moon preparation draft outline for witness preparation;
683	10/25/11	Kinsey	0.70	\$ 100.00	\$ 70.00	Prepared draft of plaintiffs' response to motion to strike; prepared draft of notice of intent to file surreply; arranged filing and service of same.
684	10/25/11	Boschen	0.10	\$ 150.00	\$ 15.00	Telephone call to client; correspondence regarding same.
685	10/25/11	Marshall	7.30	\$ 375.00	\$ 2,737.50	Worked on plaintiffs' response to defendants' motion to strike [5.7]; researched and analyzed issues regarding same [.4]; email correspondence with co-counsel regarding deposition preparation issues [.2]; telephone conference with Whatcom County Jail regarding communications with inmates [.3]; telephone conference with Mr. Moon regarding issues related to deposition [.2]; telephone conferences with co-counsel and Mr. Hoff's assistant regarding same [.2]; email correspondence with co-counsel and court reporter regarding deposition scheduling [.2]; email to Ms. Montague regarding deposition scheduling issues [.1].
686	10/25/11	Zuchetto	2.00	\$ 330.00	\$ 660.00	Work on deposition prep. (1.0); Draft letter re discovery responses (1.0).
687	10/25/11	Talner	3.20	\$ 400.00	\$ 1,280.00	Emails with co-counsel re discovery issues; read transcripts of depositions from prior indigent defense case to prepare for discovery in Wilbur case and summarize relevant points for co-counsel
688	10/25/11	Fisher	1.30	\$ 330.00	\$ 429.00	Prepare for deposition of J. Moon; research fifth amendment issues and who can invoke privilege;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
689	10/25/11	Williams	2.00	\$ 580.00	\$ 1,160.00	Meet with C. Fisher and J. Higa on document review issues; send out meeting notice with agenda for deposition preparation; edit proposed outline for deposition preparation;
690	10/26/11	Kinsey	1.30	\$ 100.00	\$ 130.00	Reviewed, revised and finalized plaintiffs' response to motion to strike; assembled Marshall declaration exhibits; arranged filing and service.
691	10/26/11	Marshall	2.50	\$ 375.00	\$ 937.50	Worked on response to motion to strike and supporting papers and telephone conference with co-counsel regarding same [2.5].
692	10/26/11	Zuchetto	4.25	\$ 330.00	\$ 1,402.50	Work on opposition to Summary Judgment/motion for Preliminary Injunction re motion to strike (2.0); Prepare for discovery conference (2.25).
693	10/26/11	Fisher	2.70	\$ 330.00	\$ 891.00	Prepare for depositions; research J. Moon's criminal history;
694	10/26/11	Williams	0.80	\$ 580.00	\$ 464.00	Review and comment on surreply brief opposing motion to strike hearsay;
695	10/27/11	Marshall	1.30	\$ 375.00	\$ 487.50	Attempted to reach Mr. Moon regarding deposition scheduling [.1]; left message with Ms. Osborne regarding status of lawsuit [.1]; worked on case strategy issues and outline of action items [.9]; email to Mr. Hoff regarding factual background issues [.2].
696	10/27/11	Bledsoe	1.00	\$ 120.00	\$ 120.00	Create spreadsheet with Indigent clients' charges for Zuchetto.
697	10/27/11	Zuchetto	2.25	\$ 330.00	\$ 742.50	Prepare for Rule 37 conference (1.0); Work on deposition preparation (1.25).
698	10/27/11	Dunne	0.30	\$ 380.00	\$ 114.00	Review draft of deposition outline for client deposition
699	10/27/11	Williams	1.00	\$ 580.00	\$ 580.00	Edit team deposition preparation outline;
700	10/27/11	Fisher	3.70	\$ 330.00	\$ 1,221.00	Review and pull documents in preparation for J. Moon's deposition;
701	10/28/11	Boschen	1.60	\$ 150.00	\$ 240.00	Personal conferences and correspondence regarding deposition arrangements [.3]; telephone call to client; telephone conferences with Whatcom County Jail regarding deposition [.4]; commenced review of Mount Vernon supplemental production [.9].
702	10/28/11	Marshall	2.20	\$ 375.00	\$ 825.00	Worked on various factual background issues [1.5]; analyzed issues regarding Mr. Moon's arraignments and worked on same [.7].
703	10/28/11	Bledsoe	1.00	\$ 120.00	\$ 120.00	Obtain Montague, Wilbur, and Moon dockets from WA courts.
704	10/28/11	Zuchetto	5.25	\$ 330.00	\$ 1,732.50	Work on dep. prep. issues, including research re attorney client privilege (2.0); Deposition preparation and discuss same w/ co-counsel (1.5); Prepare for and conduct Rule 37 conference and draft e-mail in response to same (1.75).
705	10/28/11	Talner	5.60	\$ 400.00	\$ 2,240.00	Conference call with co-counsel regarding case strategy; review files to prepare for client depositions; teleconference with plaintiffs' criminal defense lawyer; review plaintiffs' court records to prepare for depositions

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
706	10/28/11	Williams	2.00	\$ 580.00	\$ 1,160.00	Participate in litigation team conference call regarding deposition preparation and strategy; meet with C. Fisher on deposition preparation for J. Moon; exchange emails with team on deposition preparation issues;
707	10/28/11	Fisher	5.50	\$ 330.00	\$ 1,815.00	Attend team conference call to discuss depositions; write letter to A. Cooley regarding J. Moon's deposition and incarceration; prepare for J. Moon's deposition; call N. Talner and G. Hoff to discuss open and closed criminal cases;
708	10/29/11	Marshall	1.10	\$ 375.00	\$ 412.50	Telephone conference with Mr. Moon regarding factual background issues [.4]; worked on same [.2]; analyzed issues regarding WSAMA brief and email correspondence with expert regarding same [.5].
709	10/30/11	Williams	4.00	\$ 580.00	\$ 2,320.00	Review of key documents binder for Jeremiah Moon deposition preparation and identify areas for mock cross-examination;
710	10/31/11	Marshall	9.20	\$ 375.00	\$ 3,450.00	Email correspondence with co-counsel regarding witness issues [.1]; analyzed issues regarding in preparation for depositions [.3]; email correspondence with co-counsel regarding same [.2]; telephone call from co-counsel regarding WSAMA amicus brief and strategy for responding to same [.3]; telephone conferences with Sergeant Buren at the Whatcom County Jail [.2]; email correspondence with opposing counsel regarding deposition of Mr. Moon [.1]; worked on preparation for plaintiffs' depositions [.5]; to Sedro Woolley for meeting with Mr. Wilbur regarding deposition preparation [1.7]; meeting with Mr. Wilbur regarding deposition [.8]; to Mount Vernon for meetings with co-counsel and Ms. Montague in preparation for deposition [.3]; meetings with co-counsel and Ms. Montague regarding depositions [3.3]; return from Mount Vernon [1.4].
711	10/31/11	Zuchetto	1.80	\$ 330.00	\$ 594.00	Review and analyze defendant's supplemental discovery responses (.25); Review and analyze amicus filing (.5); Discuss response w/ co-counsel (.2); E-mail team re same (.1); Draft response re Rule 26 conference (.75).
712	10/31/11	Dunne	0.20	\$ 380.00	\$ 76.00	Email correspondence with co-counsel re deposition of plaintiff and preparation for same
713	10/31/11	Talner	4.40	\$ 400.00	\$ 1,760.00	Travel to Mount Vernon and review court file of potential witness; travel to Whatcom County Jail to meet with plaintiff for deposition preparation; travel to Mount Vernon to meet with other plaintiff for deposition preparation

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
714	10/31/11	Williams	7.50	\$ 580.00	\$ 4,350.00	Exchange emails with C. Fisher on logistical arrangements for client depositions; travel to Bellingham to meet with Jeremiah Moon in Bellingham prison to prepare for deposition; meet with Angela Montague in Mt. Vernon at the Best Western to prepare for deposition;
715	11/01/11	Boschen	0.10	\$ 150.00	\$ 15.00	Reviewed documents and correspondence regarding same;
716	11/01/11	Marshall	8.80	\$ 375.00	\$ 3,300.00	To Bellingham for deposition of Mr. Moon [1.8]; attended deposition of Mr. Moon [4.4]; meeting with co-counsel regarding same [.6]; return from Bellingham [1.8]; email correspondence with co-counsel regarding amicus filing [.2].
717	11/01/11	Zuchetto	2.05	\$ 330.00	\$ 676.50	Debrief re Moon deposition w/ co-counsel re discovery supplement and case strategy (.25); Draft summary re same (.25); Review and analyze Perez-Vargas information (.5); Work on discovery supplement letter (.75); Assist in dep. re review and provide document Witt/Moon plea bargain (.3).
718	11/01/11	Fisher	8.50	\$ 330.00	\$ 2,805.00	Attend deposition of J. Moon; prepare for deposition of A. Montague;
719	11/01/11	Williams	9.00	\$ 580.00	\$ 5,220.00	Prepare for and defend deposition of plaintiff Jeremiah Moon at Whatcom County Jail; travel from Whatcom County to Seattle;
720	11/02/11	Boschen	0.30	\$ 150.00	\$ 45.00	Drafted public disclosure request pertaining to Perez-Vargas; correspondence with Mount Vernon Municipal Court regarding same.
721	11/02/11	Marshall	11.30	\$ 375.00	\$ 4,237.50	To Mount Vernon for deposition of Ms. Montague [1.3]; defended deposition of Ms. Montague [8.0]; meeting with Ms. Montague regarding same [.5]; return from Mount Vernon [1.5].
722	11/02/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Analyze and discuss possible amicus response (.5); Draft letter re discovery supplement (.7); Discuss Montague deposition w/ co-counsel (.3).
723	11/02/11	Fisher	11.00	\$ 330.00	\$ 3,630.00	Attend deposition of A. Montague; travel to Seattle from Mount Vernon;
724	11/03/11	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence and personal conversations regarding amicus briefs, case status and depositions.
725	11/03/11	Marshall	3.00	\$ 375.00	\$ 1,125.00	Worked on discovery issues [.4]; analyzed issues regarding amicus briefs [.2]; telephone conference with co-counsel regarding same [1.2]; telephone call from co-counsel regarding same and case strategy issues [.2]; worked on case strategy issues [.2]; worked on letter to opposing counsel regarding discovery issues [.3]; worked on discovery and case strategy issues [.5].
726	11/03/11	Zuchetto	4.75	\$ 330.00	\$ 1,567.50	Analyze amicus filing and discuss response (2.25); Read and analyze e-mail from def. counsel re discovery (.25); Work on letter re discovery supplement (1.75); Respond to def's re dep. requests (.5).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
727	11/03/11	Talner	0.40	\$ 400.00	\$ 160.00	Teleconference with co-counsel and consulting expert regarding response to amicus brief
728	11/03/11	Williams	1.00	\$ 580.00	\$ 580.00	Exchange emails with litigation team on requesting amicus briefs in support; conference call with C. Fisher on Montague deposition result;
729	11/03/11	Fisher	0.40	\$ 330.00	\$ 132.00	Discuss depositions with team;
730	11/04/11	Marshall	3.30	\$ 375.00	\$ 1,237.50	Telephone conference with co-counsel regarding various issues, including amicus filing, response to same, discovery, depositions, class certification, preliminary injunction, and case strategy [1.2]; email correspondence with co-counsel regarding same [.5]; worked on action items arising out of conference call [.4]; analyzed issues regarding deposition scheduling [.3]; email correspondence with opposing counsel regarding same [.2]; reviewed discovery produced by Defendants [.4]; worked on class certification briefing [.3].
731	11/04/11	Dunne	0.80	\$ 380.00	\$ 304.00	Conference call with co-counsel re case strategy and amicus briefs
732	11/04/11	Talner	0.80	\$ 400.00	\$ 320.00	Conference call with co-counsel to discuss case strategy
733	11/04/11	Fisher	0.80	\$ 330.00	\$ 264.00	Participate in team conference call to discuss amicus briefs, depositions, next steps;
734	11/05/11	Marshall	0.70	\$ 375.00	\$ 262.50	Worked on motion for class certification [.7].
735	11/06/11	Marshall	6.90	\$ 375.00	\$ 2,587.50	Researched and analyzed issues regarding standing and mootness in class actions [1.8]; researched and analyzed issues regarding certification under Rule 23(b)(2) [2.0]; worked on plaintiffs' motion for class certification [3.1].
736	11/07/11	Marshall	5.70	\$ 375.00	\$ 2,137.50	Email correspondence with co-counsel regarding deposition scheduling [.1]; prepared for meeting with Mr. Wilbur regarding deposition preparation [.5]; meetings with Mr. Wilbur's mother and efforts to contact Mr. Wilbur [1.2]; to Sedro Woolley for meeting with Mr. Wilbur [1.6]; return from Sedro Woolley [1.6]; analyzed issues regarding deposition scheduling [.2]; left message with Mr. Sanchez regarding same [.1]; telephone conference with Ms. Johnson regarding same [.2]; worked on motion for class certification [.2].
737	11/07/11	Dunne	0.30	\$ 380.00	\$ 114.00	Correspondence with J. Strait re Defendants' summary judgment and amicus brief; email correspondence with co-counsel re plaintiffs' depositions
738	11/07/11	Talner	0.30	\$ 400.00	\$ 120.00	Emails with co-counsel regarding litigation strategy
739	11/07/11	Williams	0.50	\$ 580.00	\$ 290.00	Review emails on discovery and upcoming depositions;
740	11/08/11	Kinsey	1.30	\$ 100.00	\$ 130.00	Drafted Marshall declaration in support of motion for class certification; researched TMDW case files for inclusion.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
741	11/08/11	Marshall	7.60	\$ 375.00	\$ 2,850.00	Worked on narrowing requests in subpoenas to Mr. Sybrandy and Mr. Witt [.6]; drafted letter to Mr. Sybrandy regarding same [.3]; email correspondence with co-counsel regarding same [.2]; email correspondence with co-counsel regarding deposition scheduling [.2]; telephone call from co-counsel regarding issues with Mr. Wilbur [.2]; email correspondence with opposing counsel regarding same [.1]; analyzed issues regarding same [.2]; worked on motion for class certification [1.8]; researched and analyzed issues regarding same [.3]; telephone call from and email correspondence with co-counsel regarding motion for sanctions [.3]; analyzed issues regarding same [.2]; telephone conference and email correspondence with Mr. Sanchez regarding deposition [.4]; left message with Mr. Howson regarding deposition [.1]; worked on declaration in support of motion for class certification [.3]; reviewed documents produced by Defendants [1.7]; worked on motion for class certification [.5]; email to co-counsel regarding same [.2].
742	11/08/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review and respond to team re Wilbur deposition issue (.25); Review and analyze motion for sanctions (.75).
743	11/08/11	Dunne	0.40	\$ 380.00	\$ 152.00	Review draft of subpoena and email correspondence with co-counsel re subpoena to third-party witnesses; email correspondence with co-counsel re discovery issues and depositions
744	11/08/11	Talner	1.40	\$ 400.00	\$ 560.00	Review draft correspondence re subpoena to public defenders and email co-counsel about it; review documents produced by one of the public defender
745	11/08/11	Fisher	2.00	\$ 330.00	\$ 660.00	Participate in call with A. Cooley regarding Wilbur's deposition; email team regarding call; telephone call T. Marshall to discuss Wilbur's deposition; compare documents M. Witt has produced, objected to, and still needs to produce; email team regarding conclusions regarding M. Witt's production;
746	11/08/11	Williams	2.00	\$ 580.00	\$ 1,160.00	Review emails and correspondence on Wilbur deposition; review motion for sanctions on Wilbur for failure to appear at deposition and accompanying declaration of A. Cooley;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
747	11/09/11	Marshall	5.30	\$ 375.00	\$ 1,987.50	Email correspondence with co-counsel regarding case strategy issues [.1]; worked on same [.2]; worked on motion for class certification [3.7]; worked on declaration in support of same [.3]; email correspondence with co-counsel regarding same [.1]; telephone conference with co-counsel regarding same and discovery and case strategy issues [.7]; email to opposing counsel regarding deposition scheduling [.2].
748	11/09/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review and edit motion for class certification.
749	11/09/11	Dunne	2.10	\$ 380.00	\$ 798.00	Conference call with co-counsel re case strategy; draft Dunne declaration in support of motion for class certification; review and revise motion for class certification; email correspondence with co-counsel re discovery and depositions
750	11/09/11	Talner	0.90	\$ 400.00	\$ 360.00	Draft declaration in support of class certification motion; review draft of class certification motion and provide comments on it
751	11/09/11	Fisher	0.90	\$ 330.00	\$ 297.00	Send transcripts of J. Moon's deposition to team; review pleadings;
752	11/09/11	Williams	4.50	\$ 580.00	\$ 2,610.00	Coordinate with litigation team on strategy meeting; review and comment on class certification motion and declarations in support; conference call with litigation team on strategy for class certification and responding to sanctions motion and discovery; draft class certification declaration in support; review emails exchanged by litigation team on multiple subjects; meet with B. Roos to discuss role on litigation team;
753	11/10/11	Kinsey	1.60	\$ 100.00	\$ 160.00	Reviewed, revised and finalized amended complaint; arranged filing and service; Reviewed, revised and finalized motion for class certification; prepared Marshall declaration; assembled exhibits; reviewed, revised and finalized Dunne, Zuchetto and Williams declarations; arranged filing and service of motion for class certification; prepared praecipe regarding amended complaint.
754	11/10/11	Boschen	0.70	\$ 150.00	\$ 105.00	Pulled and prepared exhibits for class certification motion [.7].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
755	11/10/11	Marshall	7.20	\$ 375.00	\$ 2,700.00	Finalized amended complaint for filing [.1]; worked on motion for class certification [.5]; email to co-counsel regarding same [.2]; worked on declaration and exhibits in support of same [.2]; analyzed issues regarding amicus filing [.3]; telephone conference with indigent defendant regarding factual background issues [.2]; worked on class certification filing [.5]; reviewed defendants' motion to disqualify and supporting documents [1.2]; researched and analyzed issues regarding same [3.5]; email correspondence and telephone conference with co-counsel regarding same [.5].
756	11/10/11	Zuchetto	8.15	\$ 330.00	\$ 2,689.50	Review and analyze motion for disqualification (1.9); Prepare for and attend Rule 26 conference re Requests for Admission (2.25); Call w/ Joseph Wilbur re deposition and status (.75); Debrief w/ co-counsel re same (.5); Analyze motion for class certification (.5); e-mail co-counsel re same (.25); Prepare declaration in support of class certification (2.0).
757	11/10/11	Talner	0.90	\$ 400.00	\$ 360.00	Read motion to disqualify and supporting declarations filed by cities and discuss with co-counsel
758	11/10/11	Dunne	0.60	\$ 380.00	\$ 228.00	Review Defendants' motion to disqualify and accompanying declarations; correspondence with J. Strait re motion to disqualify
759	11/10/11	Higa	0.30	\$ 155.00	\$ 46.50	Coordinate research effort with research librarians to attempt to gather criminal docket numbers from Mt. Vernon and Burlington municipal courts;
760	11/10/11	Williams	4.50	\$ 580.00	\$ 2,610.00	Finalize declaration in support of class certification; review email exchange on setting of depositions and on amicus briefs; review and comment on defendants' Motion to Disqualify and related declarations; review finalized motion for class certification and supporting declarations;
761	11/11/11	Kinsey	0.80	\$ 100.00	\$ 80.00	Prepared Judge Lasnik's working copy of plaintiffs' motion for class certification; arranged delivery to court clerk's office.
762	11/11/11	Boschen	2.40	\$ 150.00	\$ 360.00	Personal conferences and correspondence regarding motion to disqualify; worked on removing kites from network and local machine; reviewed hard copy files for copies of kites; researched public disclosure request history, correspondence and conversations with Skagit County and the Office of Assigned Counsel; drafted summary of same.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
763	11/11/11	Marshall	10.00	\$ 375.00	\$ 3,750.00	Email correspondence with co-counsel regarding class certification filings [.1]; researched and analyzed issues regarding motion to disqualify [2.8]; left message with Mr. Wend regarding factual background issues [.1]; worked on sequestering documents [1.4]; telephone conferences with co-counsel regarding motion to disqualify [1.0]; worked on response to same [4.4]; email correspondence with indigent defendants and witness regarding depositions [.2].
764	11/11/11	Zuchetto	6.80	\$ 330.00	\$ 2,244.00	Analyze motion for disqualification (4.25); discuss response w/ team (1.25); Research re same (1.3).
765	11/11/11	Talner	1.00	\$ 400.00	\$ 400.00	Conference call with co-counsel to discuss case strategy
766	11/11/11	Dunne	1.90	\$ 380.00	\$ 722.00	Conference call with co-counsel re case strategy and motion to disqualify; conduct legal research on RPC 4.4, kites as privileged documents and documents received through public records request
767	11/11/11	Williams	3.00	\$ 580.00	\$ 1,740.00	Conference call with litigation team on strategy for addressing motion to disqualify; draft letter to A. Cooley requesting additional time to respond to motion; review motion to disqualify; conference calls with M. Boman and L. Medway on motion to disqualify;
768	11/13/11	Marshall	0.70	\$ 375.00	\$ 262.50	Telephone conference with Ms. Johnson regarding deposition and factual background issues [.2]; researched and analyzed issues regarding response to motion to disqualify [.3]; prepared for Ms. Johnson's deposition [.2].
769	11/14/11	Marshall	9.90	\$ 375.00	\$ 3,712.50	Telephone conferences and email correspondence with co-counsel regarding response to motion for disqualification and related issues [2.2]; worked on same and factual background issues [1.8]; worked on declaration of Tina Johnson regarding kites [.3]; telephone conference with co-counsel regarding same [.1]; to Mount Vernon for deposition of Ms. Johnson [1.2]; email correspondence with co-counsel regarding same [.2]; meetings with Ms. Johnson regarding same [.5]; defended deposition of Ms. Johnson [1.8]; went to Skagit Co. Records department to research factual background issues [.4]; returned from Mount Vernon [.8]; telephone conference with Mr. Wend regarding factual background issues [.2]; telephone conference with Mr. Wilbur regarding factual background issues [.4].
770	11/14/11	Zuchetto	5.75	\$ 330.00	\$ 1,897.50	Prep. for and attend strategy session re motion to disqualify and motion for sanctions (2.5); Call experts re ethics (1.5); Call w/ Joe Wilbur (.75); Followup w/ counselor (.5); Work on Johnson declaration (.5).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
771	11/14/11	Dunne	1.30	\$ 380.00	\$ 494.00	Conference calls with co-counsel re motion to disqualify and jail documents; conference call with J. Strait
772	11/14/11	Williams	2.00	\$ 580.00	\$ 1,160.00	Prepare for and participate in litigation strategy conference call with team on motions to disqualify and motion for sanctions on missing Wilbur deposition; meet with B. Roos and C. Fisher to develop arguments for briefs;
773	11/14/11	Roos	1.60	\$ 465.00	\$ 744.00	Telephone conferences regarding motion to disqualify and motion for sanctions; review motion to disqualify;
774	11/15/11	Boschen	0.40	\$ 150.00	\$ 60.00	Telephone call to Phoenix Recovery [.1]; updated production log [.1]; bates labeled public disclosure request documents from Mount Vernon [.2].
775	11/15/11	Marshall	6.30	\$ 375.00	\$ 2,362.50	Telephone conferences and email correspondence with co-counsel regarding strategy for responding to motion to disqualify [1.0]; worked on issues regarding same [4.3]; telephone conference and email correspondence with Mr. Weyrich regarding factual background issues [.3]; email to opposing counsel regarding scheduling of Rule 30(b)(6) deposition [.1]; telephone calls from Mr. Wilbur regarding legal issues [.4]; analyzed issues factual background issues related to Ms. Perez-Vargas [.2]..
776	11/15/11	Zuchetto	5.85	\$ 330.00	\$ 1,930.50	Work on Requests for Admission amendment (.5); Debrief re Johnson deposition (.5); Work on obtaining expert declaration re motion to disqualify (1.25); Call w/ Joe Wilbur, follow up re dep. re same (1.0); Call w/ Skagit County prosecutor (.25); E-mail team re same (.25); Call declarants (2.1).
777	11/15/11	Dunne	0.90	\$ 380.00	\$ 342.00	Conference call with R. Aronson re declaration for motion to disqualify; email correspondence with co-counsel re same
778	11/15/11	Fisher	0.50	\$ 330.00	\$ 165.00	Read T. Johnson declaration; read and reply to team emails;
779	11/15/11	Williams	2.00	\$ 580.00	\$ 1,160.00	Coordinate with litigation team on ideas for expert witnesses for opposition to disqualification motion; conference call with ACLU on making contact with Skagit County;
780	11/15/11	Roos	5.70	\$ 465.00	\$ 2,650.50	Draft opposition to motion to disqualify; research regarding same; telephone conference with S. Dunne regarding same;
781	11/16/11	Boschen	3.30	\$ 150.00	\$ 495.00	Travel to and from Skagit County Jail to have declarations signed [3]; worked on locating correspondence regarding public disclosure request [.2]; reviewed documents in preparation to response to Motion to Disqualify [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
782	11/16/11	Marshall	10.00	\$ 375.00	\$ 3,750.00	Telephone conference with Oscar regarding treatment for Mr. Wilbur [.2]; worked on response to motion to disqualify [4.7]; worked on declarations for response to same [1.2]; telephone conferences and email correspondence with Mr. Moon, Ms. Montague, Ms. Johnson, and co-counsel regarding same [1.5]; worked on declaration of Prof. Aronson [.8]; telephone conference with co-counsel regarding same [.3]; worked on factual background issues [.8]; worked on case strategy issues [.5].
783	11/16/11	Zuchetto	6.00	\$ 330.00	\$ 1,980.00	Work on response re motion for disqualification (4.0); Work on opposition re Summary Judgment (2.0).
784	11/16/11	Dunne	1.70	\$ 380.00	\$ 646.00	Conference call with co-counsel re motion to disqualify and case strategy; conference call with ethics expert re jail documents and motion to disqualify; conference call with R. Aronson re his declaration in opposition to motion to disqualify;
785	11/16/11	Fisher	4.10	\$ 330.00	\$ 1,353.00	Draft opposition to defendants' motion for sanctions regarding cancellation of J. Wilbur's deposition; participate in team conference call; read and reply to emails;
786	11/16/11	Roos	9.20	\$ 465.00	\$ 4,278.00	Draft opposition to motion to disqualify counsel; research relating to same; telephone conference relating to same;
787	11/16/11	Williams	3.50	\$ 580.00	\$ 2,030.00	Prepare for litigation team conference call; attend litigation team conference call on deposition, motion for sanctions, and motion to disqualify; conference call with Skagit County Prosecutor's Office on need for declaration from jail representative and PRA representative; review correspondence from ethics expert;
788	11/17/11	Boschen	1.30	\$ 150.00	\$ 195.00	Pulled documents for deposition of Letty Alvarez [1]; personal conferences and correspondence regarding depositions and clients [.2]; reviewed documents produced in response to public disclosure request [.1].
789	11/17/11	Marshall	7.40	\$ 375.00	\$ 2,775.00	Researched and analyzed factual background issues regarding kites [.9]; email correspondence and telephone conference with co-counsel regarding same [.5]; analyzed issues regarding Mr. Wilbur's status [.2]; worked on issues regarding response to motion to disqualify [.1]; prepared for deposition of witness [3.4]; worked on various issues and materials related to response to motion to disqualify [2.3].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
790	11/17/11	Zuchetto	4.15	\$ 330.00	\$ 1,369.50	Work on declarations re motion to disqualify (2.1); Work on declaration re motion for sanctions (.4); Work on Requests for Admission responses (.7); Call w/ Joe Wilbur and Shannon re same (.4); Call w/ Jose Tarango re declaration (.3); Research re Kites (.25).
791	11/17/11	Dunne	0.60	\$ 380.00	\$ 228.00	Review and respond to emails from co-counsel re opp'n to motion to disqualify; revise attorney declaration in opp'n to motion to disqualify;
792	11/17/11	Fisher	3.60	\$ 330.00	\$ 1,188.00	Write opposition to defendants' motion for sanctions regarding cancellation of Wilbur's deposition;
793	11/17/11	Williams	6.00	\$ 580.00	\$ 3,480.00	Review email from Skagit County Prosecutor and coordinate request for inmate declaration with the team; conference call with Skagit County Prosecutor on declarations from Jail on Public Records Act representative; coordinate declaration with Sgt. J. O'Neill at Skagit County Jail; coordinate declaration of Cori Russell with Skagit County; edit opposition to motion for sanctions and supporting declarations;
794	11/17/11	Roos	5.90	\$ 465.00	\$ 2,743.50	Draft opposition to motion to disqualify counsel; research relating to same;
795	11/18/11	Boschen	0.20	\$ 150.00	\$ 30.00	Telephone conference with Mr. Hoff's office [.1]; telephone call to Phoenix Recovery [.1].
796	11/18/11	Marshall	11.80	\$ 375.00	\$ 4,425.00	To Skagit County for deposition of witness [1.4]; defended same [5.2]; meetings with witness and counsel regarding same [.5]; worked on factual background issues [.8]; meetings with correctional officers and attorneys regarding kites and jail procedures [1.3]; worked on declarations for response to motion to disqualify [1.0]; telephone conference with co-counsel regarding same [.2]; returned from Skagit County [1.4].
797	11/18/11	Zuchetto	6.75	\$ 330.00	\$ 2,227.50	Work on response to motion for sanctions (1.5); Work on response to motion to disqualify (2.25); Work on supplement re Request for Admission responses (2.0); Team strategy meeting re response to motion to disqualify and witness deposition (1.0).
798	11/18/11	Talner	0.80	\$ 400.00	\$ 320.00	Conference call with co-counsel to discuss defense motion to disqualify, defense motion for sanctions, and case strategy; review draft opposition to defense motion for sanctions
799	11/18/11	Dunne	0.40	\$ 380.00	\$ 152.00	Revise opposition to motion to disqualify; correspondence with R. Aronson re declaration in support of opp'n to motion to disqualify counsel

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
800	11/18/11	Fisher	3.80	\$ 330.00	\$ 1,254.00	Participate in team call regarding motions and depositions; research cases to support opposition to motion to disqualify plaintiffs' attorneys including disqualification inappropriate when counsel did not act in bad faith and when opposing party did not suffer prejudice or injury;
801	11/18/11	Williams	5.00	\$ 580.00	\$ 2,900.00	Participate in conference call with litigation team; edit plaintiffs' opposition to motion for sanctions and declarations of T. Marshall and C. Fisher; research caselaw under CR 37 on second chance to comply with discovery orders and civil rules; update opposition to sanctions motion to include CR 37 research; coordinate declarations for opposition to motion to disqualify;
802	11/18/11	Roos	6.50	\$ 465.00	\$ 3,022.50	Draft opposition to motion to disqualify; research regarding same; review declarations in support of same;
803	11/19/11	Marshall	3.90	\$ 375.00	\$ 1,462.50	Reviewed rough transcript of deposition of witness [.4]; email correspondence with co-counsel regarding same [.2]; worked on opposition to motion to disqualify counsel [1.2]; researched and analyzed issues regarding same [.4]; telephone call from co-counsel regarding same [.4]; email correspondence with co-counsel regarding same [.4]; worked on opposition to motion for sanctions and declarations in support of same [.8]; email correspondence with co-counsel regarding same [.1].
804	11/19/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Work on response to motion to disqualify.
805	11/19/11	Roos	2.10	\$ 465.00	\$ 976.50	Draft opposition to motion to disqualify; review declarations in support of same;
806	11/20/11	Zuchetto	1.00	\$ 330.00	\$ 330.00	Work on response to motion to disqualify.
807	11/20/11	Fisher	1.80	\$ 330.00	\$ 594.00	Edit opposition to motion for sanctions and opposition to motion for disqualification of plaintiffs' attorneys;
808	11/20/11	Roos	3.80	\$ 465.00	\$ 1,767.00	Draft opposition to motion to disqualify; review declarations in support of same;
809	11/21/11	Kinsey	0.50	\$ 100.00	\$ 50.00	Prepared draft of and finalize letter to Judge Lasnik; arrange delivery of exhibits for in camera review.
810	11/21/11	Boschen	0.40	\$ 150.00	\$ 60.00	Telephone conference with Phoenix Recovery [.1]; reviewed deposition transcript of Letty Alvarez [.3].
811	11/21/11	Marshall	5.90	\$ 375.00	\$ 2,212.50	Worked on response to motion to disqualify and issues related to same [4.7]; worked on issues regarding Mr. Wilbur' treatment [.2]; worked on discovery and witness issues [1.0].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
812	11/21/11	Zuchetto	4.25	\$ 330.00	\$ 1,402.50	Work on response to motion to disqualify (3.75); Team strategy meeting re motion to disqualify (.5).
813	11/21/11	Talner	0.50	\$ 400.00	\$ 200.00	Conference call with co-counsel regarding finalizing response to motion to disqualify
814	11/21/11	Williams	4.50	\$ 580.00	\$ 2,610.00	Finalize opposition to motion for sanctions and coordinate filing; finalize opposition to motion to disqualify and declarations;
815	11/21/11	Roos	5.50	\$ 465.00	\$ 2,557.50	Revise opposition to motion to disqualify; revise declarations in support of same; prepare same for filing; telephone conference regarding oppositions;
816	11/22/11	Boschen	0.50	\$ 150.00	\$ 75.00	Telephone conference with Sun Ray Courte [.2]; telephone call to client's relative [.1]; correspondence regarding medical release and proof of treatment [.2].
817	11/22/11	Marshall	5.70	\$ 375.00	\$ 2,137.50	Telephone call from Mr. Sanchez regarding deposition [.4]; prepared for same [.1]; researched and analyzed issues regarding immigration status [.2]; email correspondence with co-counsel regarding same [.1]; email correspondence with co-counsel regarding discovery issues [.2]; analyzed issues regarding same [.2]; telephone call from Mr. Rosenberg regarding scheduling of class certification briefing [.1]; analyzed issues regarding same [.1]; email correspondence with co-counsel and Mr. Rosenberg regarding same [.1]; to Mount Vernon for deposition of Mr. Sanchez [1.4]; meetings with Mr. Sanchez regarding same [.4]; defended Mr. Sanchez's deposition [1.1]; returned from same [1.3].
818	11/22/11	Zuchetto	2.25	\$ 330.00	\$ 742.50	Analyze immigration issues re deposition (.4); E-mail co-counsel re same (.1); Debrief with counsel re deposition issues (.5); Analyze e-mail re Subpoena Duces Tecum narrowing/issues (.25); Analyze discovery re bid proposals (.25); Draft discovery deficiency letter re same (.75).
819	11/22/11	Talner	0.60	\$ 400.00	\$ 240.00	Teleconference with co-counsel regarding methods for further investigation of merits of the case; teleconference and email with co-counsel regarding deposition issues
820	11/22/11	Williams	2.00	\$ 580.00	\$ 1,160.00	Review and exchange email with team on class certification; coordinate with experts and with Skagit County Prosecutor's office on opposition to motion to disqualify; review team emails on third-party document production by Sybrandy and Witt;
821	11/22/11	Roos	0.30	\$ 465.00	\$ 139.50	Telephone conference with N. Talner regarding review of court files;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
822	11/23/11	Marshall	3.90	\$ 375.00	\$ 1,462.50	Researched and analyzed issues regarding relevance objections at depositions [.1]; analyzed issues regarding Mr. Wilbur's custody and treatment options [.2]; telephone conference with Mr. Wilbur regarding same [.2]; email to Mr. Hoff regarding same [.1]; worked on gathering materials to mail to Mr. Wilbur regarding same [.2]; researched and analyzed issues regarding WSAMA's amicus brief [.3]; drafted response to same [.2]; reviewed defendants' reply in support of motion for disqualification [.2]; analyzed issues regarding witness's testimony [.2]; email correspondence with co-counsel regarding same [.1]; drafted and filed notice of intent to file surreply [.3]; drafted motion to strike false representations in defendants' reply in support of disqualification [1.5]; email correspondence and telephone conference with co-counsel regarding same [.3].
823	11/23/11	Zuchetto	2.80	\$ 330.00	\$ 924.00	Analyze reply re motion for disqualification (1.1); Work on sur-reply re motion for disqualification (.7); Draft letter re discovery deficiency (.75); Analyze amicus re potential response and discuss same w/ co-counsel (.25).
824	11/23/11	Talner	0.50	\$ 400.00	\$ 200.00	Read reply brief regarding cities' motion to disqualify; read reply brief regarding cities' motion for sanctions; review plaintiffs' statement regarding WSAMA amicus brief
825	11/23/11	Roos	1.20	\$ 465.00	\$ 558.00	Review reply regarding motion to disqualify; review reply regarding motion for sanctions; communications regarding same;
826	11/28/11	Kinsey	1.50	\$ 100.00	\$ 150.00	Reviewed, revised and finalized statement regarding amicus curiae brief; arranged filing and service; reviewed, revised and finalized surreply regarding motion to exclude and disqualify experts; arranged filing and service.
827	11/28/11	Marshall	0.40	\$ 375.00	\$ 150.00	Finalized surreply on motion for disqualification and response to WSAMA motion for leave to file amicus brief [.2]; telephone conference with Mr. Wilbur regarding treatment issues [.2].
828	11/28/11	Zuchetto	1.75	\$ 330.00	\$ 577.50	Review and analyze response to motion for Preliminary Injunction (1.25); Work on discovery letter (.5).
829	11/28/11	Williams	1.80	\$ 580.00	\$ 1,044.00	Review defendants' Reply on Motion to Disqualify; review emails on surreply brief and other matters involving court filings; review Statement of Plaintiffs Regarding Motion of Washington Association of Municipal Attorneys to File Amicus Brief;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
830	11/29/11	Boschen	4.10	\$ 150.00	\$ 615.00	Reviewed and annotated deposition testimony; personal conferences and correspondence regarding same; printed transcripts and prepared mailings to deponents.
831	11/29/11	Marshall	7.30	\$ 375.00	\$ 2,737.50	Telephone call from Mr. Wilbur regarding treatment issues [.1]; reviewed defendants' materials in response to motion for preliminary injunction and analyzed issues regarding same [4.2]; worked on response to same [.4]; telephone conference with co-counsel regarding strategy for reply in support of motion for preliminary injunction [.9]; left message with Mr. Hoff regarding Mr. Wilbur's ability to get into treatment [.1]; left message with Mr. Wilbur's friend regarding certificate of treatment completion [.1]; telephone conference with Mr. Wilbur regarding same [.1]; left message with Ms. Osborne regarding status of case [.1]; email to Ms. Osborne regarding same and disengagement [.3]; telephone call from Mr. Hoff regarding Mr. Wilbur's treatment issues [.1]; telephone conference with Mr. Howson regarding deposition [.2]; message from Ms. Osborne regarding status of case [.1]; exchanged messages with and telephone call from Ms. Montague regarding factual background issues [.3]; worked on same [.3].
832	11/29/11	Zuchetto	2.25	\$ 330.00	\$ 742.50	Analyze response re motion for Preliminary Injunction (1.25); Prepare for and attend team strategy session re reply to motion for Preliminary Injunction (1.0).
833	11/29/11	Dunne	1.10	\$ 380.00	\$ 418.00	Conference call with co-counsel re case strategy and plaintiffs' reply for motion for a preliminary injunction; email correspondence with co-counsel re WSBA standards
834	11/29/11	Talner	4.40	\$ 400.00	\$ 1,760.00	Emails with co-counsel to discuss reply brief re injunction motion; conference call with co-counsel to discuss reply brief regarding injunction motion; research legal issues regarding reply brief, injunction motion and email research results to co-counsel
835	11/29/11	Roos	1.20	\$ 465.00	\$ 558.00	Conferences regarding reply regarding motion for preliminary injunction and related issues; communications regarding same;
836	11/29/11	Fisher	3.50	\$ 330.00	\$ 1,155.00	Draft reply to opposition to preliminary injunction motion;
837	11/29/11	Williams	8.50	\$ 580.00	\$ 4,930.00	Review Cities' opposition to Plaintiffs' Motion for Preliminary Injunction; coordinate with litigation team on injunction and discovery questions; begin drafting plaintiffs' reply brief; send email to Skagit County Prosecutor on status of motion to disqualify;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
838	11/30/11	Boschen	8.90	\$ 150.00	\$ 1,335.00	Continued reviewing and annotating deposition; drafted memorandum regarding same; correspondence regarding same; telephone confernces with municipal courts regarding client case status; drafted public disclosure requests to municipal courts; correspondence regarding same.
839	11/30/11	Marshall	9.90	\$ 375.00	\$ 3,712.50	Worked on getting additional case file documents for named plaintiffs [.1]; drafted notes from call with Mr. Hoff regarding Mr. Wilbur's ability to get into treatment [.1]; worked on factual background issues for reply in support of motion for preliminary injunction [2.7]; worked on reply in support of motion for preliminary injunction [5.6]; email correspondence with co-counsel regarding same [.2]; reviewed hearing on Perez-Vargas matter and drafted notes of same [.9]; email to co-counsel regarding same [.1]; telephone call from Mr. Wilbur regarding treatment issues [.1]; left message with Mr. Wilbur's sister regarding same [.1].
840	11/30/11	Zuchetto	0.70	\$ 330.00	\$ 231.00	Work on reply re motion for Preliminary Injunction.
841	11/30/11	Talner	4.90	\$ 400.00	\$ 1,960.00	Review documents produced in discovery; research reply brief regarding injunction motion; discuss reply brief regarding injunction motion with co-counsel
842	11/30/11	Dunne	1.50	\$ 380.00	\$ 570.00	Conduct legal research on standing and mootness for reply brief for motion for preliminary injunction; meeting with N. Talner re same
843	11/30/11	Williams	6.50	\$ 580.00	\$ 3,770.00	Continue drafting and editing Plaintiffs' Reply on Cross-Motion for preliminary judgment; continue review of Defendants' declarations in support of opposition; review emails from co-counsel on additions to make to reply brief;
844	11/30/11	Fisher	3.80	\$ 330.00	\$ 1,254.00	Telephone conference with N. Talner; draft standing section for reply to opposition to motion for preliminary injunction;
845	12/01/11	Boschen	0.20	\$ 150.00	\$ 30.00	Reviewed reply on motion for preliminary injunction; correspondence regarding same.
846	12/01/11	Marshall	14.80	\$ 375.00	\$ 5,550.00	Worked on reply in support of motion for preliminary injunction [6.3]; researched and analyzed issues regarding same [2.4]; email correspondence and telephone conference with co-counsel regarding same [.5]; to Mount Vernon for deposition of Mr. Howson [1.2]; defended deposition of Mr. Howson [2.8]; returned from Mount Vernon [1.6].
847	12/01/11	Zuchetto	4.40	\$ 330.00	\$ 1,452.00	Work on reply re Preliminary Injunction motion.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
848	12/01/11	Talner	1.50	\$ 400.00	\$ 600.00	Review draft reply brief regarding injunction motion, do additional research on it, do revisions to draft
849	12/01/11	Fisher	2.20	\$ 330.00	\$ 726.00	Draft reply brief;
850	12/01/11	Roos	0.40	\$ 465.00	\$ 186.00	Review reply in support of preliminary injunction motion;
851	12/02/11	Boschen	6.90	\$ 150.00	\$ 1,035.00	Worked on deposition exhibits to declaration in support of cross motion for preliminary injunction; prepared pleadings and exhibits for filing with court; filed pleadings with court; printed pleadings for court; correspondence and personal conferences regarding reply on cross motion for preliminary injunction.
852	12/02/11	Marshall	8.60	\$ 375.00	\$ 3,225.00	Worked on reply in support of motion for preliminary injunction [6.7]; worked on declaration in support of same [.5]; email correspondence with co-counsel regarding varioius issues [.5]; worked on filings [.4]; worked on case strategy issues [.5].
853	12/02/11	Zuchetto	3.30	\$ 330.00	\$ 1,089.00	Work on reply re motion for Preliminary Injunction.
854	12/02/11	Talner	1.90	\$ 400.00	\$ 760.00	Revisions to reply brief regarding injunction motion
855	12/02/11	Williams	4.50	\$ 580.00	\$ 2,610.00	Review and edit plaintiffs' reply brief on cross-petition for preliminary injunction and related declarations; coordinate with co-counsel on filing arrangements for reply brief; coordinate Moon and Montague videotaped deposition synchronization;
856	12/04/11	Marshall	0.20	\$ 375.00	\$ 75.00	Email correspondence with court reporters, co-counsel, and Ms. Miller regarding depositions of witnesses [.1]; analyzed issues regarding signatures and correction sheets for same [.1].
857	12/05/11	Kinsey	1.10	\$ 100.00	\$ 110.00	Prepared notebook for Judge Lasnik containing reply in support of motion for preliminary injunction and opposition to defendants' motion for summary judgment; arranged delivery by messenger.
858	12/05/11	Marshall	1.30	\$ 375.00	\$ 487.50	Worked on document management issues [.1]; telephone call from Mr. Wilbur regarding factual background issues [.2]; telephone call from co-counsel regarding case strategy and witness issues [.3]; email correspondence with Ms. Montague regarding additional witnesses [.1]; reviewed defendants' notice of intent to file surreply and analyzed issues regarding same [.1]; attempted to contact Mr. Wilbur's sister regarding treatment certificate [.1]; email correspondence with co-counsel regarding class certification motion [.1]; analyzed issues regarding response to same [.3].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
859	12/05/11	Zuchetto	1.25	\$ 330.00	\$ 412.50	Analyze def's response to motion for class certification.
860	12/05/11	Roos	0.90	\$ 465.00	\$ 418.50	Review pending motions regarding class certification, summary judgment and preliminary injunction;
861	12/05/11	Fisher	1.30	\$ 330.00	\$ 429.00	Read reply to opposition for preliminary injunction; discussion amending complaint and seeking new plaintiffs at jail; read opposition to motion for class certification;
862	12/05/11	Williams	1.90	\$ 580.00	\$ 1,102.00	Review email on reply brief filing; review defendants' notice of mootness motion; review final reply brief on cross-motion for preliminary injunction; conference call with N. Talner of ACLU on same; begin review of Cities' opposition to class certification motion;
863	12/06/11	Boschen	0.30	\$ 150.00	\$ 45.00	Telephone calls to clients; correspondence regarding jail visits; prepared letter and mailing of transcript.
864	12/06/11	Marshall	2.40	\$ 375.00	\$ 900.00	Telephone conference with Mr. Wilbur regarding factual background issues [.2]; reviewed defendants' response to class certification motion and related documents [1.2]; telephone conference with co-counsel regarding same [1.0].
865	12/06/11	Zuchetto	3.15	\$ 330.00	\$ 1,039.50	Research re flat fee PD contracts (.2); Work on reply re class certification. motion (2.75); Analyze def's filing re surreply (.2).
866	12/06/11	Talner	3.40	\$ 400.00	\$ 1,360.00	Review cities' brief re class certification; conference call with co-counsel re litigation strategy and planning for response to cities' brief; draft documents and conduct investigation regarding meeting with potential clients and witnesses
867	12/06/11	Roos	1.10	\$ 465.00	\$ 511.50	Telephone conference regarding new class representatives and class certification reply; review briefing regarding mootness due to change public defense system;
868	12/06/11	Williams	3.50	\$ 580.00	\$ 2,030.00	Review opposition to Plaintiffs' Motion for Class Certification; participate in conference call with litigation team on case strategy; review Moon and Montague videotaped deposition excerpts submitted to the Court;
869	12/07/11	Marshall	5.70	\$ 375.00	\$ 2,137.50	Worked on reply in support of class certification motion [3.4]; researched and analyzed issues regarding same [2.3].
870	12/07/11	Zuchetto	3.90	\$ 330.00	\$ 1,287.00	Work on reply re class certification brief (3.5); Read and analyze def's surreply re Preliminary Injunction motion (.4).
871	12/07/11	Talner	7.40	\$ 400.00	\$ 2,960.00	Travel to and from Skagit County Jail; meet with potential witnesses and clients at the jail; prepare witness and client statements

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
872	12/07/11	Williams	1.00	\$ 580.00	\$ 580.00	Review defendants' surreply on motion for preliminary injunction; exchange emails with litigation team on identification of new class representatives;
873	12/08/11	Boschen	0.20	\$ 150.00	\$ 30.00	Telephone call to Burlington municipal court regarding documents [.1]; correspondence regarding same [.1].
874	12/08/11	Marshall	9.20	\$ 375.00	\$ 3,450.00	Worked on reply in support of class certification motion [6.7]; researched and analyzed issues regarding same [2.5].
875	12/08/11	Zuchetto	4.75	\$ 330.00	\$ 1,567.50	Work on class certification reply brief.
876	12/08/11	Dunne	0.20	\$ 380.00	\$ 76.00	Revise and process retainer agreements for new plaintiffs
877	12/08/11	Talner	0.30	\$ 400.00	\$ 120.00	Circulate witness documents to co-counsel
878	12/08/11	Williams	0.50	\$ 580.00	\$ 290.00	Review email exchange on identification of additional class representatives;
879	12/09/11	Kinsey	0.60	\$ 100.00	\$ 60.00	Reviewed, revised and finalized plaintiffs' reply in support of motion for class certification; finalized Hasty, Fowkes Barter and Martineau declarations regarding same; finalized Marshall declaration; arranged filing and service of same.
880	12/09/11	Boschen	0.90	\$ 150.00	\$ 135.00	Prepared letter to Burlington Municipal Court regarding public disclosure request; correspondence regarding same.
881	12/09/11	Marshall	4.10	\$ 375.00	\$ 1,537.50	Worked on reply in support of class certification and declaration supporting same [3.4]; email correspondence with co-counsel regarding same [.3]; worked on filing [.2]; telephone conference with Ms. Osborne regarding case status [.2].
882	12/09/11	Zuchetto	1.50	\$ 330.00	\$ 495.00	Edit class certification brief.
883	12/12/11	Marshall	1.00	\$ 375.00	\$ 375.00	Analyzed issues regarding filing of reply in support of class certification [.1]; email correspondence with Ms. Montague regarding same and factual background issues [.2]; telephone call from Mr. Wilbur regarding factual background and case issues [.2]; worked on document management issues [.2]; drafted letter to Ms. Osborne regarding termination of representation [.2]; email correspondence with Ms. Osborne regarding order dismissing charge against her son [.1].
884	12/12/11	Williams	1.50	\$ 580.00	\$ 870.00	Review and revise final version of Plaintiffs' Reply Re: Motion for Class Certification and supporting declarations;
885	12/13/11	Boschen	6.90	\$ 150.00	\$ 1,035.00	Continued document review and deposition preparation; correspondence and personal conferences regarding same.
886	12/13/11	Marshall	0.20	\$ 375.00	\$ 75.00	Telephone conference with Mr. Wilbur regarding status of criminal case [.1]; email correspondence with co-counsel and Mr. Hoff regarding same [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
887	12/14/11	Kinsey	0.30	\$ 100.00	\$ 30.00	Reviewed, revised and finalized letter to Ms. Osborne regarding client disengagement.
888	12/14/11	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding deposition transcripts [.1]; email correspondence with co-counsel regarding same [.1].
889	12/15/11	Boschen	0.20	\$ 150.00	\$ 30.00	Correspondence regarding deposition testimony[.1]; researched client's upcoming hearings in municipal court [.1].
890	12/15/11	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding signature of Ms. Johnson for deposition transcript [.1]; email correspondence with co-counsel regarding handling of deposition costs [.1].
891	12/16/11	Marshall	0.40	\$ 375.00	\$ 150.00	Email correspondence with co-counsel and Mr. Howson regarding deposition transcript [.1]; email correspondence with co-counsel regarding status of Mr. Wilbur's criminal case [.1]; analyzed issues regarding deposition costs [.1]; telephone call from Mr. Wilbur regarding medication issues [.1].
892	12/16/11	Zuchetto	0.30	\$ 330.00	\$ 99.00	E-mail co-counsel re client issue.
893	12/19/11	Marshall	0.20	\$ 375.00	\$ 75.00	Reviewed order granting motion for leave to file amicus brief [.1]; telephone conference and email correspondence with co-counsel regarding same [.1].
894	12/19/11	Dunne	0.10	\$ 380.00	\$ 38.00	Review Order from court re motion for leave to file amicus brief
895	12/19/11	Fisher	0.40	\$ 330.00	\$ 132.00	Read amicus curiae brief submitted on behalf of defendants;
896	12/19/11	Roos	0.50	\$ 465.00	\$ 232.50	Review amicus brief and consider options for response; communications regarding same;
897	12/20/11	Marshall	3.00	\$ 375.00	\$ 1,125.00	Email correspondence with indigent defendant regarding factual background issues [.2]; telephone call from Mr. Wilbur regarding factual background and discovery issues [.3]; worked on same [.1]; analyzed issues regarding WSAMA brief and worked on response to same [2.0]; telephone call from Mr. Moon regarding factual background and discovery issues [.2]; analyzed legal issues [.2].
898	12/20/11	Williams	2.50	\$ 580.00	\$ 1,450.00	Review amicus brief from Washington State Association of Municipal attorneys and discuss possible response with B. Roos and C. Fisher; conference call with team on response to amicus brief;
899	12/20/11	Roos	0.70	\$ 465.00	\$ 325.50	Telephone conference regarding response to amicus brief; revise same;
900	12/21/11	Boschen	0.30	\$ 150.00	\$ 45.00	Drafted and printed letter to client; prepared mailing of same.
901	12/21/11	Marshall	0.60	\$ 375.00	\$ 225.00	Telephone call from co-counsel regarding response to WSAMA brief [.2]; worked on factual background and case strategy issues regarding same [.4].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
902	12/22/11	Marshall	1.10	\$ 375.00	\$ 412.50	Telephone conferences with co-counsel and Ms. Knox regarding factual background issues [.8]; analyzed issues regarding same [.3].
903	12/22/11	Zuchetto	0.70	\$ 330.00	\$ 231.00	Discuss amicus response w/ co-counsel (.2); call to potential declarant re same (.5).
904	12/22/11	Roos	1.90	\$ 465.00	\$ 883.50	Review summary judgment and preliminary injunction briefing; draft response to amicus curiae brief;
905	12/26/11	Marshall	0.20	\$ 375.00	\$ 75.00	Email from Mr. Hoff regarding plea deal offered to Mr. Wilbur [.1]; analyzed issues regarding same [.1].
906	12/27/11	Marshall	0.30	\$ 375.00	\$ 112.50	Email correspondence with co-counsel regarding Burlington's plea offer to Mr. Wilbur [.1]; analyzed issues regarding same [.1]; left message with Mr. Hoff regarding same [.1].
907	12/27/11	Roos	5.80	\$ 465.00	\$ 2,697.00	Draft response to WSAMA brief; research relating to same;
908	12/27/11	Williams	0.50	\$ 580.00	\$ 290.00	Exchange emails on Wilbur potential mootness issue;
909	12/28/11	Marshall	1.50	\$ 375.00	\$ 562.50	Email correspondence with counsel for witness regarding corrections to deposition transcript [.1]; telephone call from Mr. Hoff regarding Mr. Wilbur's criminal matters and other factual background issues [.1]; email to co-counsel regarding same [.2]; researched and analyzed issues regarding recent city council meeting minutes and agendas for Mount Vernon and Burlington [.2]; telephone call from Ms. Talner regarding issues surrounding contract extension and other factual background matters [.4]; researched and analyzed issues regarding same [.2]; telephone conference with Mr. Zuchetto regarding same [.1]; drafted letter to opposing counsel regarding same [.2].
910	12/28/11	Talner	3.50	\$ 400.00	\$ 1,400.00	Research and draft response to WSAMA amicus brief; discuss calls to clients with co-counsel; discuss new info in case with co-counsel
911	12/28/11	Roos	3.80	\$ 465.00	\$ 1,767.00	Draft response to WSAMA brief; research relating to same;
912	12/28/11	Williams	0.70	\$ 580.00	\$ 406.00	Review email exchange from T. Marshall on status of Wilbur's criminal case; discuss draft response to amicus brief with B. Roos;
913	12/29/11	Marshall	0.60	\$ 375.00	\$ 225.00	Email correspondence with co-counsel regarding response to WSAMA's amicus brief [.1]; analyzed issues regarding same [.1]; worked on same [.4].
914	12/29/11	Zuchetto	1.10	\$ 330.00	\$ 363.00	Edit response re Amicus filing.
915	12/29/11	Roos	3.00	\$ 465.00	\$ 1,395.00	Revise response to WSAMA brief; incorporate team comments into same;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
916	12/29/11	Williams	1.00	\$ 580.00	\$ 580.00	Meet with B. Roos to discuss draft brief responding to Amicus; review and edit response to Amicus brief from Washington State Association of Municipal Attorneys;
917	12/30/11	Marshall	1.20	\$ 375.00	\$ 450.00	Telephone conference with Mr. Wilbur regarding factual background issues [.1]; worked on response to WSAMA brief [1.0]; email correspondence with co-counsel regarding same [.1].
918	12/30/11	Dunne	0.40	\$ 380.00	\$ 152.00	Review and revise plaintiffs' response to WASAMA amicus brief; meeting with L. Baker re calls with R. Martineau
919	01/03/12	Roos	1.80	\$ 465.00	\$ 837.00	Revise response to WSAMA brief; draft declaration in support of same;
920	01/03/12	Williams	0.50	\$ 580.00	\$ 290.00	Edit and finalize opposition to WSAMA amicus brief;
921	01/04/12	Talner	0.40	\$ 400.00	\$ 160.00	Teleconference with client regarding jail medical issues; discuss response to WSAMA amicus brief with co-counsel
922	01/04/12	Roos	2.10	\$ 465.00	\$ 976.50	Revise response to WSAMA brief; prepare same for filing;
923	01/17/12	Marshall	0.60	\$ 375.00	\$ 225.00	Reviewed supplemental production of documents from defendants [.3]; analyzed issues and email correspondence with co-counsel regarding same [.1]; telephone conference with Mr. Wilbur regarding status of lawsuit [.2].
924	01/18/12	Marshall	0.20	\$ 375.00	\$ 75.00	Email correspondence with co-counsel regarding discovery and case strategy issues [.1]; worked on case management issues [.1].
925	01/18/12	Roos	0.50	\$ 465.00	\$ 232.50	Review discovery responses; conference with J. Williams regarding same and plaintiffs' discovery;
926	01/19/12	Boschen	0.20	\$ 150.00	\$ 30.00	Updated production log [.1]; filed production [.1];
927	01/19/12	Williams	1.50	\$ 580.00	\$ 870.00	Review email exchange on discovery questions; review and analyze defendants' supplemental responses to discovery;
928	01/20/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Edit response to Amicus filing.
929	01/23/12	Marshall	0.40	\$ 375.00	\$ 150.00	Email correspondence with co-counsel regarding hearing on preliminary injunction and summary judgment motions [.2]; analyzed issues regarding same [.1]; email correspondence with co-counsel on scheduling of call to discuss case strategy and discovery issues [.1].
930	01/23/12	Fisher	0.30	\$ 330.00	\$ 99.00	Speak with team and R. Lasnik's office to set up oral argument;
931	01/23/12	Williams	2.00	\$ 580.00	\$ 1,160.00	Coordinate with USDC on oral argument for outstanding motions; exchange emails with team on setting up strategy conference call; discuss oral argument strategy and implications with D. Burman and B. Roos;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
932	01/24/12	Marshall	1.40	\$ 375.00	\$ 525.00	Prepared for telephone conferences with co-counsel regarding case strategy, discovery, and hearing issues [.2]; participated in same [.9]; worked on action items regarding same [.2]; email correspondence with consulting expert regarding status of case [.1].
933	01/24/12	Zuchetto	2.00	\$ 330.00	\$ 660.00	Call w/ team re litigation strategy (1.0); Research re current status/Preliminary Injunction (1.0).
934	01/24/12	Dunne	0.80	\$ 380.00	\$ 304.00	Conference call with co-counsel re hearing on summary judgment motion and preliminary injunction and class certification; review Order from court denying motion for sanctions
935	01/24/12	Roos	1.00	\$ 465.00	\$ 465.00	Telephone conference regarding discovery and hearing regarding preliminary injunction and summary judgment motions;
936	01/24/12	Williams	1.50	\$ 580.00	\$ 870.00	Participate on conference call with litigation team on strategy and status of client representation; discuss case strategy with B. Roos and C. Fisher; review Court's Minute Order;
937	01/25/12	Marshall	0.20	\$ 375.00	\$ 75.00	Reviewed order denying sanctions over Wilbur deposition [.1]; worked on update to clients regarding status of litigation [.1].
938	01/25/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review and analyze Court's order denying motion for sanctions.
939	01/25/12	Roos	0.20	\$ 465.00	\$ 93.00	Review court order regarding motion for sanctions;
940	01/26/12	Boschen	1.20	\$ 150.00	\$ 180.00	Reviewed client case history [.2]; drafted and emailed public disclosure requests to Mount Vernon and Burlington [.5]; personal conference regarding same [.1]; telephone conference with client [.1]; telephone calls to clients [.1]; personal conferences regarding hearing notebooks [.2].
941	01/26/12	Marshall	0.50	\$ 375.00	\$ 187.50	Worked on discovery and factual background issues [.5].
942	01/27/12	Boschen	0.20	\$ 150.00	\$ 30.00	Correspondence regarding public disclosure requests [.1]; submitted check requests for same [.1].
943	01/31/12	Boschen	0.20	\$ 150.00	\$ 30.00	Prepared mailings to municipal courts for public disclosure requests [.2].
944	02/01/12	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence regarding client's status [.1].
945	02/01/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Begin reviewing defendant's summary judgment motions and cases cited in preparation for summary judgment oral argument;
946	02/02/12	Zuchetto	0.10	\$ 330.00	\$ 33.00	E-mail co-counsel re outstanding discovery.
947	02/02/12	Williams	8.00	\$ 580.00	\$ 4,640.00	Continue review of defendants' Motions for Summary Judgment and cases cited as authority; begin developing outline of responses to defendants' Motions for Summary Judgment; conference call with N. Talner on strategy for oral argument and Supreme Court caselaw;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
948	02/03/12	Boschen	0.20	\$ 150.00	\$ 30.00	Reviewed discovery correspondence [.1]; email correspondence regarding same [.1].
949	02/06/12	Marshall	0.40	\$ 375.00	\$ 150.00	Telephone call from co-counsel regarding discovery issues [.4].
950	02/06/12	Zuchetto	0.70	\$ 330.00	\$ 231.00	Discuss Sybrandy/Witt productions with co-counsel and e-mail co-counsel re same.
951	02/06/12	Fisher	0.60	\$ 330.00	\$ 198.00	Write letter to opposing counsel to retrieve audio and video records from courts; email team regarding discovery issues;
952	02/06/12	Williams	1.00	\$ 580.00	\$ 580.00	Review emails and provide input on discovery letters to defendants;
953	02/07/12	Boschen	0.70	\$ 150.00	\$ 105.00	Reviewed Burlington and Mount Vernon documents produced in response to PDRs [.1]; bates labeled productions [.2]; correspondence regarding same [.1]; updated production log [.1]; drafted letter to Burlington Municipal Court regarding issues with PDR documents [.2];
954	02/07/12	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on discovery issues [.2].
955	02/07/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Work on letter/release re Sybrandy/Witt client files.
956	02/07/12	Talner	0.50	\$ 400.00	\$ 200.00	Review new court documents regarding client case status
957	02/08/12	Boschen	0.20	\$ 150.00	\$ 30.00	Prepared records releases for clients and correspondence regarding same [.2].
958	02/08/12	Zuchetto	1.50	\$ 330.00	\$ 495.00	E-mail co-counsel re consulting expert docs. and review material re same (.25); Review briefing and prepare questions re oral argument on Motion for Summary Judgment/Preliminary Injunction (1.0); Discuss same w/ co-counsel (.25).
959	02/09/12	Boschen	1.30	\$ 150.00	\$ 195.00	Prepared cover letters and mailings to Martineau, Moon, Montague and Wilbur regarding release of records [1]; personal conference and correspondence regarding same [.1]; telephone call to client [.1]; prepared mailing of payment to Burlington Municipal Court for PDR supplementation [.1].
960	02/09/12	Marshall	2.30	\$ 375.00	\$ 862.50	Researched and analyzed issues regarding arguments for hearing on preliminary injunction and summary judgment motions [1.3]; telephone conferences and email correspondence with co-counsel regarding same [.8]; worked on discovery issues [.2].
961	02/09/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review def. expert report re sharing w/ consulting expert and discuss same w/ co-counsel (.5); Discuss oral argument/oral argument prep. re Motion for Summary Judgment/Preliminary Injunction w/ co-counsel (.5).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
962	02/09/12	Fisher	1.00	\$ 330.00	\$ 330.00	Email and telephone call with T. Marshall about plaintiffs and oral arguments, follow-up discovery requests from M. Witt and R. Sybrandy, in the process of gathering release statements from plaintiffs to obtain their records from M. Witt and R. Sybrandy; review M. Witt's discovery responses in preparation for letter requesting plaintiffs files;
963	02/09/12	Williams	3.50	\$ 580.00	\$ 2,030.00	Conference call with co-counsel on oral argument for summary judgment motions and motion for preliminary injunction; continue review of summary judgment motions and preparation for oral argument; review emails on summary judgment motion preparation;
964	02/10/12	Boschen	1.00	\$ 150.00	\$ 150.00	Worked on downloading and filing supplemental productions [.4]; uploaded same to Dropbox and FTP site [.3]; correspondence regarding same [.1]; upated production log [.1]; telephone call to client [.1].
965	02/10/12	Marshall	2.10	\$ 375.00	\$ 787.50	Analyzed issues regarding arguments for hearing on preliminary injunction motion [1.0]; researched issues regarding same [.6]; telephone conference with co-counsel regarding same [.2]; email correspondence with co-counsel regarding same [.3].
966	02/10/12	Williams	7.50	\$ 580.00	\$ 4,350.00	Meet with C. Fisher to develop visual aides for oral argument; continue review of summary judgment and preliminary injunction briefing and case law; begin outlining oral argument;
967	02/11/12	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on discovery issues and preparation for hearing on motions for summary judgment and preliminary injunction [.3].
968	02/11/12	Williams	4.50	\$ 580.00	\$ 2,610.00	Continue outlining and developing oral arguments for summary judgment and preliminary injunction;
969	02/12/12	Marshall	3.50	\$ 375.00	\$ 1,312.50	Reviewed briefing in preparation for hearing on various motions [1.4]; analyzed issues regarding same [.8]; email correspondence with co-counsel regarding same [.3]; worked on outline of argument on class certification [1.0].
970	02/12/12	Fisher	1.80	\$ 330.00	\$ 594.00	Create document explaining why conflict counsel and substitute counsel are not the same right; create document listing reasons and excuses why R. Sybrandy and M. Witt do not meet with their clients; create document listing evidence supporting argument of capable of repetition yet evading review;
971	02/12/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Continue developing plaintiffs' oral argument outline on preliminary injunction and summary judgment motions;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
972	02/13/12	Marshall	4.90	\$ 375.00	\$ 1,837.50	Left messages with clients regarding status of case [.2]; researched and analyzed issues and arguments for hearing on various motions [2.6]; worked on outlines of argumenst [1.6]; telephone conference with co-counsel regarding same [.3]; email correspondence with co-counsel regarding same [.2].
973	02/13/12	Zuchetto	3.00	\$ 330.00	\$ 990.00	Work on letter to Sybrandy re Subpoena Duces Tecum (1.25); Prepare questions re oral argument Motion for Summary Judgment/Preliminary Injunction (1.25); Analyze visual aide re oral argument and discuss same w/ co-counsel (.5).
974	02/13/12	Talner	0.90	\$ 400.00	\$ 360.00	Preparation for motions hearing
975	02/13/12	Williams	4.50	\$ 580.00	\$ 2,610.00	Continue developing oral argument for preliminary injunction motion and summary judgment motions; draft powerpoint presentation for same; practice oral argument and refine comments;
976	02/14/12	Boschen	3.80	\$ 150.00	\$ 570.00	Reviewed supplemental productions[1.7]; reviewed MVMC 2.62 and compared to new ordinance [.5]; bates labled public disclosure request documents[.2]; correspondence regarding same [.1]; updated production log [.1]; downloaded video production [.2]; burned DVDs for co-counsel of same [.2]; prepared mailings of same [.3]; worked on troubleshooting video issues [.2]; telephone call to Mr. Hoff [.1]; worked on filing [.1]; reviewed privilege log [.1].
977	02/14/12	Marshall	6.80	\$ 375.00	\$ 2,550.00	Worked on outlines for arguments [.5]; reviewed pleadings and researched and analyzed issues regarding same [2.8]; email correspondence with and telephone conference with co-counsel regarding same [.3]; participated in moot court meeting [3.0]; telephone conference with co-counsel regarding same [.2].
978	02/14/12	Bledsoe	0.25	\$ 120.00	\$ 30.00	Proofed/finalized letter from Zuchetto to Sybrandy.
979	02/14/12	Zuchetto	5.30	\$ 330.00	\$ 1,749.00	Prep. for and participate in oral argument prep. re Motion for Summary Judgment/Preliminary Injunction (3.3); Review class certification argument outline and discuss same w/ co-counsel (.75); Draft letters to Sybrandy re Subpoena Duces Tecum and client files (1.0); Discuss same w/ co-counsel (.25).
980	02/14/12	Dunne	1.80	\$ 380.00	\$ 684.00	Moot preparation for 2/15 hearing on summary judgment, preliminary injunction and class certification motions; email research to co-counsel for upcoming argument

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
981	02/14/12	Talner	1.60	\$ 400.00	\$ 640.00	Preparation for motions hearing
982	02/14/12	Roos	2.50	\$ 465.00	\$ 1,162.50	Attend moot argument regarding preliminary injunction and summary judgment motions; conference with team regarding same; prepare argument regarding mootness due to voluntarily cessation of conduct;
983	02/14/12	Fisher	2.00	\$ 330.00	\$ 660.00	Prepare for oral arguments; attend moot of oral argument;
984	02/14/12	Williams	6.00	\$ 580.00	\$ 3,480.00	Review U.S. Supreme Court cases on standing and Section 1983 reckless indifference standard; continue drafting oral argument for presentation to U.S. District Court; participate in mock oral argument with trial team; modify visual aides and oral argument presentation to include input from trial team;
985	02/15/12	Boschen	0.10	\$ 150.00	\$ 15.00	Telephone conference with Mr. Hoff regarding client and correspondence regarding same [.1].
986	02/15/12	Marshall	3.90	\$ 375.00	\$ 1,462.50	Prepared for hearing on various motions [.7]; attended hearing on preliminary injunction and summary judgment motions [2.8]; personal conference with co-counsel regarding same [.4].
987	02/15/12	Zuchetto	0.30	\$ 330.00	\$ 99.00	E-mail team re oral argument (.1); Debrief w/ co-counsel re same (.2).
988	02/15/12	Fisher	2.90	\$ 330.00	\$ 957.00	Attend oral arguments for motions;
989	02/15/12	Roos	3.00	\$ 465.00	\$ 1,395.00	Attend hearing regarding preliminary injunction and summary judgment motions; conferences with team regarding same;
990	02/15/12	Williams	4.50	\$ 580.00	\$ 2,610.00	Refine powerpoint slides and written presentation to prepare for oral argument on motions for summary judgment and cross-motion for preliminary injunction; meet with trial team at U.S.D.C. and participate in oral argument; review email from court on motion to disqualify and exchange emails on same with litigation team;
991	02/17/12	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on document management issues [.1]; email correspondence with co-counsel regarding follow-up to hearing [.2].
992	02/17/12	Roos	0.20	\$ 465.00	\$ 93.00	Review and respond to communications regarding potential witness;
993	02/17/12	Williams	0.70	\$ 580.00	\$ 406.00	Review letter from citizen whose wife was falsely accused of shoplifting and forced to pay for an attorney who did not appear; exchange emails with same;
994	02/20/12	Marshall	0.20	\$ 375.00	\$ 75.00	Email correspondence with co-counsel regarding letter from class member [.2].
995	02/20/12	Bledsoe	0.10	\$ 120.00	\$ 12.00	Finalized letter to Sybrandy.
996	02/20/12	Zuchetto	0.40	\$ 330.00	\$ 132.00	Edit letter to Sybrandy.
997	02/20/12	Williams	0.50	\$ 580.00	\$ 290.00	Review and exchange emails on litigation strategy;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
998	02/21/12	Williams	1.00	\$ 580.00	\$ 580.00	Contact potential witness on absence of counsel allegations; coordinate with team on same;
999	02/22/12	Marshall	0.10	\$ 375.00	\$ 37.50	Email correspondence with co-counsel regarding potential class member [.1].
1000	02/23/12	Boschen	0.30	\$ 150.00	\$ 45.00	Telephone conference with client [.1]; re-mailed records release to client [.2].
1001	02/23/12	Marshall	2.40	\$ 375.00	\$ 900.00	Reviewed court's orders on class certification, summary judgment, and disqualification motions [.5]; email correspondence and telephone conferences with co-counsel regarding same [.8]; worked on case strategy issues [1.1].
1002	02/23/12	Zuchetto	1.40	\$ 330.00	\$ 462.00	Review and analyze Court's ruling re Summary Judgment/Preliminary Injunction, class certification. and motion to disqualify (1.0); Debrief w/ team re same (.4).
1003	02/23/12	Dunne	0.90	\$ 380.00	\$ 342.00	Review Order on class cert, summary judgment and preliminary injunction motions; email correspondence with co-counsel re same; correspondence with J. Strait re ruling
1004	02/23/12	Roos	0.50	\$ 465.00	\$ 232.50	Review court orders regarding preliminary injunction, summary judgment, disqualification of counsel, and class certification; conference with J. Williams regarding same;
1005	02/23/12	Williams	1.20	\$ 580.00	\$ 696.00	Review and analyze Court's order denying motions for summary judgment and motion for preliminary injunction and motion to disqualify; review and analyze Court's order granting class certification; discuss same with B. Roos and other counsel;
1006	02/24/12	Boschen	2.40	\$ 150.00	\$ 360.00	Telephone conference regarding case strategy [1.1]; drafted letter to declarants [.2]; prepared mailing to Ms. Osborne [.2]; telephone calls and correspondence with clients [.3]; reviewed case notes and tasks lists for outstanding public records and discovery sources [.5]; correspondence regarding same [.1].
1007	02/24/12	Marshall	3.00	\$ 375.00	\$ 1,125.00	Worked on document management issues [.2]; analyzed issues regarding case strategy [.8]; telephone conferences with co-counsel regarding same [1.6]; email correspondence with witnesses and class members regarding court's orders [.2]; worked on discovery issues [.2].
1008	02/24/12	Zuchetto	2.30	\$ 330.00	\$ 759.00	Analyze Court's orders re Summary Judgment/Preliminary Injunction/Class certification (1.3); Discuss same w/ team and litigation strategy (1.0).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1009	02/24/12	Dunne	0.90	\$ 380.00	\$ 342.00	Conference call with co-counsel re court's ruling and case strategy
1010	02/24/12	Talner	0.90	\$ 400.00	\$ 360.00	Teleconference with co-counsel to discuss case strategy
1011	02/24/12	Williams	1.90	\$ 580.00	\$ 1,102.00	Coordinate with team on news articles regarding Court's orders; create agenda for litigation strategy meeting; participate in conference call with team on strategy; meet with B. Roos to discuss proof analysis and potential expert witness input;
1012	02/24/12	Fisher	1.60	\$ 330.00	\$ 528.00	Participate in team call to discuss next steps in light of recent denial of defendants' motion for summary judgment; write PC News update regarding recent orders of denial of defendants' motion for summary judgment; speak with team regarding obtaining indigent defendants' criminal court files from the court;
1013	02/24/12	Roos	2.70	\$ 465.00	\$ 1,255.50	Telephone conference with team regarding discovery and related issues; review materials relating to proof of claims;
1014	02/27/12	Marshall	1.20	\$ 375.00	\$ 450.00	Telephone call from co-counsel regarding expert issues [.2]; email to expert regarding same [.1]; telephone conferences with expert and co-counsel regarding same [.9].
1015	02/27/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Review e-mail from co-counsel re consulting expert (.25); call co-counsel and consulting expert (.5).
1016	02/27/12	Talner	0.40	\$ 400.00	\$ 160.00	Draft letter to clients about court ruling
1017	02/27/12	Roos	1.40	\$ 465.00	\$ 651.00	Review documents regarding proof of claims; draft proof chart;
1018	02/28/12	Boschen	1.80	\$ 150.00	\$ 270.00	Correspondence regarding PDR for case files [.2]; scanned and emailed records release [.1]; telephone call to client [.1]; telephone conference with client [.1]; commenced work on witness list [1.3];
1019	02/28/12	Marshall	0.40	\$ 375.00	\$ 150.00	Analyzed issues regarding potential deponents [.2]; analyzed issues regarding bids accepted by cities [.2].
1020	02/28/12	Fisher	0.60	\$ 330.00	\$ 198.00	Email M. Hamad, J. Boschen, and J. Higa regarding scanning Mount Vernon and Burlington court files from 2010; email J. Boschen and J. Higa regarding contacting Mount Vernon and Burlington courts to copy their 2010 court files;
1021	02/29/12	Boschen	0.60	\$ 150.00	\$ 90.00	Completed work on witness list [.6].
1022	02/29/12	Marshall	0.60	\$ 375.00	\$ 225.00	Worked on discovery and case strategy issues [.5]; telephone conference with co-counsel regarding same [.1].
1023	02/29/12	Zuchetto	0.20	\$ 330.00	\$ 66.00	Review and analyze potential deponent list (.1); E-mail co-counsel re same (.1).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1024	02/29/12	Fisher	0.20	\$ 330.00	\$ 66.00	Email team regarding Witt's production; coordinate transfer of M. Witt's documents to A. Cooley;
1025	03/01/12	Boschen	0.50	\$ 150.00	\$ 75.00	Correspondence regarding PDR for case files [.1]; correspondence regarding Wilbur release [.1]; scanned release [.1]; telephone call to client [.1]; reviewed correspondence regarding ex parte communications [.1].
1026	03/01/12	Marshall	1.40	\$ 375.00	\$ 525.00	Worked on discovery issues [.3]; email from opposing counsel regarding request to communicate with class members [.1]; analyzed issues regarding same [.2]; email to co-counsel regarding strategy for responding to same [.1]; analyzed issues regarding public disclosure requests [.2]; telephone conference with co-counsel regarding case strategy issues [.3]; telephone conference with Mr. Wilbur regarding status update [.2].
1027	03/01/12	Zuchetto	1.10	\$ 330.00	\$ 363.00	Discuss ex parte communication w/ class members by def. counsel w/ co-counsel (.2); Review and analyze e-mails from def. counsel and co-counsel re same (.5); Work on letter to Sybrandy re case files (.4).
1028	03/01/12	Dunne	0.20	\$ 380.00	\$ 76.00	Email correspondence with co-counsel re discovery issue and ex parte contact with class members
1029	03/01/12	Williams	0.50	\$ 580.00	\$ 290.00	Review and exchange emails on status of class members and prohibition against ex parte interview;
1030	03/01/12	Fisher	1.40	\$ 330.00	\$ 462.00	Contact Mount Vernon and Burlington Municipal Courts and ask about copying court files of all 2010 misdemeanor cases; write public disclosure letter to courts requesting court files; send J. Murphy J. Wilbur's signed statement authorizing release of M. Witt's case files pertaining to his criminal cases;
1031	03/02/12	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence regarding potential witness [.1].
1032	03/02/12	Marshall	0.50	\$ 375.00	\$ 187.50	Telephone conferences with co-counsel regarding case strategy issues [.5].
1033	03/02/12	Williams	1.70	\$ 580.00	\$ 986.00	Exchange emails on defendants' attempt to interview class members; review discovery dispute correspondence; review list of potential deponents;
1034	03/02/12	Fisher	0.10	\$ 330.00	\$ 33.00	Email team about public disclosure requests pertaining to court files;
1035	03/05/12	Marshall	1.10	\$ 375.00	\$ 412.50	Worked on discovery and case strategy issues [.5]; email to opposing counsel regarding request for ex parte interviews of class members [.2]; researched and analyzed issues regarding same [.4].
1036	03/05/12	Zuchetto	0.10	\$ 330.00	\$ 33.00	E-mail co-counsel re Sybrandy discovery.
1037	03/05/12	Talner	0.90	\$ 400.00	\$ 360.00	Draft letter to update clients and witnesses about court's ruling; research regarding cities' request to interview former class members

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1038	03/05/12	Dunne	0.10	\$ 380.00	\$ 38.00	email correspondence with co-counsel re discovery issue and ex parte contact with class members
1039	03/05/12	Fisher	1.70	\$ 330.00	\$ 561.00	Gather documents produced by M. Witt and send to A. Cooley per his request; research whether defense can conduct ex parte communications with class members now that class has been certified;
1040	03/05/12	Williams	1.00	\$ 580.00	\$ 580.00	Review emails and approve of communication to defendants on objections to ex parte class communication;
1041	03/05/12	Roos	4.00	\$ 465.00	\$ 1,860.00	Draft issues and proof of claim chart; review court orders and filings for same; review documents from Grant County case for same;
1042	03/06/12	Boschen	0.20	\$ 150.00	\$ 30.00	Reviewed correspondence regarding ex parte communications [.1]; telephone conference with client [.1].
1043	03/06/12	Marshall	2.00	\$ 375.00	\$ 750.00	Worked on case strategy issues [.3]; analyzed issues regarding discovery and expert deadlines [.4]; drafted stipulation and proposed order to modify same [.4]; email correspondence with co-counsel regarding same [.2]; email to opposing counsel regarding same [.1]; email correspondence with co-counsel regarding discovery issues [.1]; emails to opposing counsel regarding Witt documents [.2]; analyzed issues regarding defendants' request to have ex parte communications with indigent defendants who allegedly fall outside the class [.2]; email correspondence with co-counsel and opposing counsel regarding same [.1].
1044	03/06/12	Zuchetto	0.20	\$ 330.00	\$ 66.00	E-mail co-counsel re adjustment of scheduling order.
1045	03/06/12	Williams	1.00	\$ 580.00	\$ 580.00	Review email exchange on legal research regarding class interviews; review proposed change of case schedule;
1046	03/06/12	Roos	1.20	\$ 465.00	\$ 558.00	Draft proof of claims chart;
1047	03/07/12	Talner	0.60	\$ 400.00	\$ 240.00	Research regarding cities' request to interview former class members; investigate possible new witness
1048	03/07/12	Williams	1.50	\$ 580.00	\$ 870.00	Review and analyze B. Roos proof analysis for Constitutional claims against Cities and draft master deposition outline from Grant County litigation; review and exchange emails with litigation team on class member interviews;
1049	03/07/12	Roos	0.30	\$ 465.00	\$ 139.50	Review documents from witness; communications regarding contact of former class members; review Grant County filings for same;
1050	03/08/12	Boschen	0.50	\$ 150.00	\$ 75.00	Drafted letter to Mr. Hoff regarding records release and correspondence regarding same [.4]; telephone call to client [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1051	03/08/12	Marshall	1.50	\$ 375.00	\$ 562.50	Email correspondence with co-counsel and opposing counsel regarding proposed modification to case schedule deadlines [.2]; telephone call from co-counsel regarding Sybrandy documents [.2]; worked on discovery and case scheduling issues [.5]; email correspondence with co-counsel regarding same [.2]; worked on obtaining client files from Mr. Hoff [.1]; worked on obtaining client files from Mr. Hoff [.2]; email correspondence with co-counsel regarding same [.1].
1052	03/08/12	Zuchetto	0.30	\$ 330.00	\$ 99.00	E-mail/discuss discovery deadline stipulation w/ co-counsel.
1053	03/08/12	Talner	0.50	\$ 400.00	\$ 200.00	Emails with co-counsel regarding discovery issues
1054	03/08/12	Roos	0.50	\$ 465.00	\$ 232.50	Research regarding elements of sec. 1983 claims; revise proof chart;
1055	03/08/12	Williams	0.80	\$ 580.00	\$ 464.00	Review email exchange on modifying case schedule and response to counsel for Cities; coordinate team meeting on litigation strategy;
1056	03/09/12	Boschen	0.50	\$ 150.00	\$ 75.00	Personal conferences regarding case task list [.2]; correspondence regarding records release and witness location [.1]; conducted Accurant search for witness contact [.2];
1057	03/09/12	Marshall	4.80	\$ 375.00	\$ 1,800.00	Worked on discovery and case strategy issues [2.2]; telephone conference with co-counsel regarding same and case scheduling issues [1.0]; worked on issues regarding draft stipulation to extend case scheduling deadlines and email correspondence with opposing counsel regarding same [.8]; worked on witness issues [.8].
1058	03/09/12	Zuchetto	1.75	\$ 330.00	\$ 577.50	Team meeting/call re litigation strategy (1.0); Edit/revise letter to Sybrandy re docs. (.5); Edit/revise e-mail to def. counsel re discovery plan (.25).
1059	03/09/12	Dunne	1.00	\$ 380.00	\$ 380.00	Conference call with co-counsel re discovery issues and case strategy
1060	03/09/12	Talner	1.00	\$ 400.00	\$ 400.00	Conference call with co-counsel regarding case strategy
1061	03/09/12	Roos	1.40	\$ 465.00	\$ 651.00	Telephone conference with team regarding discovery issues; communications regarding same;
1062	03/09/12	Fisher	1.80	\$ 330.00	\$ 594.00	Participate in team call to discuss defendant's request to interview class members, case schedule and stipulated order, status of document production, deposition assignments, and creation of deposition outline; call Mount Vernon and Burlington Municipal courts to inquire about response to public disclosure request for 2010 court files; contact J. Murphy to inquire about production of M. Witt's files for J. Wilbur, A. Montague, and R. Martineau;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1063	03/09/12	Williams	1.40	\$ 580.00	\$ 812.00	Prepare for and preside over conference call with litigation team; meet with B. Roos and C. Fisher on scheduling of depositions;
1064	03/10/12	Marshall	0.60	\$ 375.00	\$ 225.00	Worked on document management issues [.4]; worked on witness issues [.2].
1065	03/12/12	Marshall	4.70	\$ 375.00	\$ 1,762.50	Researched and analyzed issues regarding communications with current and former class members, drafted letter to opposing counsel regarding same, and telephone conference with co-counsel regarding same [4.7].
1066	03/12/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review/edit correspondence to def. counsel re deadlines (.2); Review letter. to Court re case files and call w/ co-counsel re same (.3).
1067	03/12/12	Fisher	3.90	\$ 330.00	\$ 1,287.00	Write second letter to Mount Vernon and Burlington Municipal Courts requesting case files; talk with M. Zuchetto about letter to courts and obtaining files from M. Witt and R. Sybrandy;
1068	03/12/12	Roos	0.20	\$ 465.00	\$ 93.00	Review draft communications with opposing counsel and court;
1069	03/12/12	Williams	0.50	\$ 580.00	\$ 290.00	Review emails and draft letter to Cities with Public Records Act requests; review email exchange and final letter on ex parte communications with class members;
1070	03/13/12	Boschen	4.40	\$ 150.00	\$ 660.00	Travel to and from Mount Vernon Municipal Court for client meeting [3.9]; correspondence with Mr. Hoff regarding records release [.1]; telephone conference with Mr. Denny regarding public records request [.1]; commenced preparing records request [.2]; correspondence regarding client [.1].
1071	03/13/12	Marshall	0.80	\$ 375.00	\$ 300.00	Reviewed email from opposing counsel regarding discovery issues [.1]; worked on response to same and case strategy issues [.4]; email to opposing counsel regarding same [.1]; analyzed issues regarding status of client [.2].
1072	03/13/12	Talner	2.30	\$ 400.00	\$ 920.00	Review discovery - court hearing recordings
1073	03/13/12	Fisher	0.30	\$ 330.00	\$ 99.00	Read A. Cooley's email regarding extension of discovery and other pertinent schedule deadlines; read and reply to team emails;
1074	03/14/12	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence regarding client and public records request [.1].
1075	03/14/12	Dunne	0.20	\$ 380.00	\$ 76.00	Email correspondence with co-counsel re discovery and case deadlines
1076	03/14/12	Talner	2.50	\$ 400.00	\$ 1,000.00	Review discovery - court hearing recordings, obtain client/witness release forms

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1077	03/14/12	Fisher	0.60	\$ 330.00	\$ 198.00	Read A. Cooley's email regarding extension of discovery and other deadlines; email Judge Svaren to clarify we do not want courts to do the copying but would prefer to do so ourselves to cut back on costs for all parties involved;
1078	03/15/12	Boschen	2.50	\$ 150.00	\$ 375.00	Drafted, finalized and emailed public disclosure request to Skagit County Sheriff [.5]; pulled caseload documents [.2]; updated witness list [.1]; reviewed correspondence regarding witnesses, case files, disclosures, and records requests [.4]; drafted, finalized and emailed public records request to Mount Vernon [.2]; reviewed all discovery requests and responses [1.1].
1079	03/15/12	Marshall	0.50	\$ 375.00	\$ 187.50	Telephone call from co-counsel regarding case strategy issues [.1]; worked on same [.1]; analyzed issues regarding case schedule and trial date [.2]; email correspondence with co-counsel regarding same [.1].
1080	03/15/12	Talner	0.20	\$ 400.00	\$ 80.00	Emails to co-counsel regarding discovery issues
1081	03/15/12	Fisher	1.20	\$ 330.00	\$ 396.00	Write and send J. Murphy letter enclosing J. Moon and D. Hayes statement of release; read and reply to team emails;
1082	03/15/12	Roos	0.20	\$ 465.00	\$ 93.00	Review deposition list;
1083	03/16/12	Boschen	0.20	\$ 150.00	\$ 30.00	Prepared check and mailing for public records request [.2].
1084	03/16/12	Talner	0.20	\$ 400.00	\$ 80.00	Emails to co-counsel regarding discovery issues
1085	03/16/12	Fisher	0.40	\$ 330.00	\$ 132.00	Read and reply to team emails;
1086	03/19/12	Nusser	4.00	\$ 225.00	\$ 900.00	Worked on motion for continuance [4]
1087	03/19/12	Marshall	1.40	\$ 375.00	\$ 525.00	Analyzed issues regarding need to extend trial date [.3]; worked on proposed order for same [.4]; email correspondence and telephone conference with co-counsel regarding same [.3]; email to opposing counsel regarding same [.2]; email correspondence with co-counsel regarding Mr. Wilbur [.2].
1088	03/19/12	Zuchetto	0.10	\$ 330.00	\$ 33.00	Review and e-mail co-counsel re stipulation/motion to amend trial schedule.
1089	03/19/12	Fisher	0.80	\$ 330.00	\$ 264.00	Read T. Marshall email regarding stipulated case schedule and draft email to A. Cooley regarding schedule; write letter to J. Murphy requesting M. Witt's file pertaining to L . Rodriguez and enclosing L. Rodriguez's statement authorizing release of file; discuss deposition outline with B. Roose;
1090	03/19/12	Roos	0.70	\$ 465.00	\$ 325.50	Review deposition list; research regarding deponents; communications regarding same;
1091	03/19/12	Williams	0.70	\$ 580.00	\$ 406.00	Review and exchange emails on motion to change case schedule;

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1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1092	03/20/12	Nusser	5.60	\$ 225.00	\$ 1,260.00	Worked on motion for continuance and supporting documents [5.6]
1093	03/20/12	Marshall	1.70	\$ 375.00	\$ 637.50	Worked on motion to continue trial date [1.2]; email correspondence with co-counsel regarding same [.2]; worked on discovery issues [.3].
1094	03/20/12	Fisher	3.80	\$ 330.00	\$ 1,254.00	Read emails exchanged with A. Cooley regarding extension of case schedule deadlines; write facts section of T. Marshall's declaration regarding plaintiffs' request for court files and public defender case files; read and edit motion for continuance;
1095	03/21/12	Boschen	0.50	\$ 150.00	\$ 75.00	Reviewed RCW 70.48.100 [.1]; correspondence regarding PDR to Skagit County Sheriff [.1]; Bates labeled third-party production and correspondence regarding same [.2]; updated production log [.1].
1096	03/21/12	Marshall	2.10	\$ 375.00	\$ 787.50	Worked on motion to continue trial, declaration in support of same, and proposed order granting same [1.7]; email correspondence with co-counsel regarding same [.2]; reviewed recent USSC decisions on Sixth Amendment [.2].
1097	03/21/12	Zuchetto	0.20	\$ 330.00	\$ 66.00	Edit/revise motion for continuance.
1098	03/21/12	Dunne	0.20	\$ 380.00	\$ 76.00	Review and revise motion to continue trial
1099	03/21/12	Talner	0.50	\$ 400.00	\$ 200.00	Emails with co-counsel regarding discovery issues, review documents produced by witness
1100	03/21/12	Roos	0.40	\$ 465.00	\$ 186.00	Review Grant County documents regarding jail logs; communications regarding same;
1101	03/21/12	Fisher	2.20	\$ 330.00	\$ 726.00	Read team emails regarding jail logs and recent decisions regarding ineffective assistance; edit and incorporate other's edits to the motion to modify case schedule and continue trial date;
1102	03/21/12	Williams	1.00	\$ 580.00	\$ 580.00	Review emails and letters from litigation team on changing trial schedule and discovery;
1103	03/22/12	Boschen	3.00	\$ 150.00	\$ 450.00	E-filed, prepared exhibits for and finalized Plaintiffs' Motion to Modify Scheduling Order and Continue Trial [2.6]; Bates labeled documents produced in response to public disclosure request and email correspondence regarding same [.2]; updated production log [.1]; correspondence regarding municipal court records [.1].
1104	03/22/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review and analyze motion to interview class members (.25); Discuss same w/ co-counsel (.25).
1105	03/22/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re discovery issues

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1106	03/22/12	Fisher	2.00	\$ 330.00	\$ 660.00	Finalize and send J. Boschen Plaintiffs' motion to modify scheduling order and continue trial date, T. Marshall's declaration in support of motion, and proposed order for motion; talk with Judge Svaren from Skagit County District Court about production of Mount Vernon and Burlington courts records; email team notes from conversation with Judge Svaren; read defendants' motion to allow reasonable communications with current and former indigent defendants and declaration in support of motion;
1107	03/23/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Respond to co-counsel re dep. scheduling/strategy.
1108	03/23/12	Roos	0.50	\$ 465.00	\$ 232.50	Review motion regarding contact with class members; communications with C. Fisher regarding deposition scheduling;
1109	03/23/12	Fisher	0.90	\$ 330.00	\$ 297.00	Write emails to team discussing scheduling of depositions with Cooley; draft letter to A. Cooley requesting dates he is unavailable to attend depositions;
1110	03/25/12	Marshall	0.50	\$ 375.00	\$ 187.50	Email correspondence with co-counsel regarding status of Mr. Wilbur [.1]; worked on discovery and case strategy issues [.3]; email correspondence with co-counsel regarding same [.1].
1111	03/25/12	Fisher	0.50	\$ 330.00	\$ 165.00	Read team emails; draft and send team letter addressed to A. Cooley regarding scheduling of depositions;
1112	03/26/12	Murray	1.20	\$ 285.00	\$ 342.00	Reviewed reasonable communication brief; outlined response.
1113	03/26/12	Marshall	1.90	\$ 375.00	\$ 712.50	Analyzed issues regarding cities' actions on public defense contracts [.2]; analyzed issues regarding opposition to defendants' motion for ex parte communications with current and former class members [1.3]; telephone conference and email correspondence with co-counsel regarding same [.3]; worked on discovery issues [.1].
1114	03/26/12	Talner	0.20	\$ 400.00	\$ 80.00	Emails with co-counsel re discovery issues
1115	03/26/12	Fisher	0.60	\$ 330.00	\$ 198.00	Write letter to A. Cooley regarding scheduling of depositions and send to him; read team emails; write email to J. Murphy regarding production of Mr. Witt's case files pertaining to plaintiffs;
1116	03/27/12	Boschen	0.40	\$ 150.00	\$ 60.00	Correspondence regarding public defense contracts, depositions, witnesses and response to motion pertaining to ex parte contact [.4].
1117	03/27/12	Murray	5.00	\$ 285.00	\$ 1,425.00	Worked on response to motion for reasonable communications.
1118	03/27/12	Marshall	0.90	\$ 375.00	\$ 337.50	Worked on response to motion for ex parte communications with current and former class members [.5]; worked on discovery and expert issues [.4].
1119	03/27/12	Bledsoe	0.40	\$ 120.00	\$ 48.00	Prepare letter to Richard Sybrandy re: pending subpoena.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1120	03/27/12	Zuchetto	1.70	\$ 330.00	\$ 561.00	Review and respond to e-mail/info re Shields witness (.25); Draft letter to R. Sybrandy re Subpoena Duces Tecum (1.2); Discuss/analyze indigent disclosures w/ co-counsel (.25).
1121	03/27/12	Talner	0.50	\$ 400.00	\$ 200.00	Investigate new public defense contracts
1122	03/27/12	Fisher	0.40	\$ 330.00	\$ 132.00	Read team emails regarding expert disclosures and potential witness, J. Shields;
1123	03/27/12	Roos	0.10	\$ 465.00	\$ 46.50	Communications regarding expert disclosures and fact witnesses;
1124	03/28/12	Boschen	0.70	\$ 150.00	\$ 105.00	Drafted response to order to show cause [.2]; personal conferences and correspondence regarding same [.2]; prepared mailing of check to court [.1]; personal conferences regarding judge's notebook for Motion to Modify Scheduling Order and Continue Trial [.2].
1125	03/28/12	Murray	6.00	\$ 285.00	\$ 1,710.00	Worked on response to motion for reasonable communications.
1126	03/28/12	Marshall	0.80	\$ 375.00	\$ 300.00	Worked on discovery issues [.2]; worked on response to motion regarding class member communications [.6].
1127	03/28/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re Order to Show Cause
1128	03/28/12	Talner	0.10	\$ 400.00	\$ 40.00	Email to expert witness regarding information needed for expert disclosures
1129	03/28/12	Fisher	0.80	\$ 330.00	\$ 264.00	Write letter to K. Rogerson and S. Thomas inquiring about their unavailability for April and May for depositions; write letter to Judge Svaren about production of court case files;
1130	03/28/12	Williams	0.50	\$ 580.00	\$ 290.00	Review and exchange emails on scheduling of depositions and on obtaining discovery from City court files;
1131	03/29/12	Kinsey	0.80	\$ 100.00	\$ 80.00	Prepared draft of and revised plaintiffs' response to motion for reasonable communications.
1132	03/29/12	Boschen	1.20	\$ 150.00	\$ 180.00	Filed with court response to order to show cause [.4]; correspondence and personal conference regarding same [.1]; telephone conference with messenger service regarding chambers copy of Motion to Modify Scheduling Order and Continue Trial [.1]; commenced drafting declaration in support of response to motion to allow reasonable communication with current and former indigent defendants and personal conference regarding same [.6];
1133	03/29/12	Murray	8.40	\$ 285.00	\$ 2,394.00	Worked on response to motion for reasonable communication.
1134	03/29/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Discuss/analyze production of docs from Court issue and response re motion to contact class members w/ co-counsel.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1135	03/29/12	Fisher	2.10	\$ 330.00	\$ 693.00	Send email to team regarding failure of J. Murphy to produce M. Witt's case files; response to N. Talner's emails regarding production of M. Witt's files and next steps; email team regarding costs to produce court files and inquire as to next steps; call J. Murphy's office to discuss production of M. Witt's files and leave message with front desk to have him call me back; read and edit draft of response to cities' motion to allow communication with current and former indigent defendants; send J. Murphy an email to document that I called him this morning and asked for a time to discuss production tomorrow; draft letter to Judge Svaren regarding production of court files;
1136	03/29/12	Roos	1.90	\$ 465.00	\$ 883.50	Review and revise opposition to motion for communications with class members; research regarding same; communications regarding court files;
1137	03/29/12	Williams	1.00	\$ 580.00	\$ 580.00	Review and exchange emails on obtaining copies of files from Cities of Mt. Vernon and Burlington; meet with C. Fisher to discuss same;
1138	03/30/12	Boschen	0.80	\$ 150.00	\$ 120.00	Continued work on opposition to response to motion to allow reasonable communication with current and former indigent defendants and correspondence regarding same [.5]; searched current jail rosters for client [.1]; Bates labeled Kitsap County Court case files produced in response to public disclosure request [.1]; updated production log [.1].
1139	03/30/12	Murray	5.20	\$ 285.00	\$ 1,482.00	Finalized response to motion for reasonable communication.
1140	03/30/12	Zuchetto	1.25	\$ 330.00	\$ 412.50	Prep. for attend telephonic team meeting (.25); Conference call w/ team re strategy on case files, depts. (1.0).
1141	03/30/12	Talner	0.20	\$ 400.00	\$ 80.00	Order court documents on plaintiff in response to cities' claim about her conviction
1142	03/30/12	Williams	3.00	\$ 580.00	\$ 1,740.00	Coordinate with litigation team on strategy for discovery; conference call with litigation team on case status and discovery strategy; review plaintiffs' response to defendants' motion to interview class and non-class members; review and edit CR 37 letter to Witt's attorney;
1143	03/30/12	Fisher	3.60	\$ 330.00	\$ 1,188.00	Create list of discussion points for team call; prepare for call; attend meeting; write letter to J. Murphy regarding production of M. Witt's case files;
1144	03/30/12	Roos	2.10	\$ 465.00	\$ 976.50	Review and revise opposition to motion for communications with class members; telephone conference with team regarding discovery and other issues;
1145	04/01/12	Fisher	0.20	\$ 330.00	\$ 66.00	Create deposition chart;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1146	04/01/12	Roos	1.10	\$ 465.00	\$ 511.50	Review and revise opposition to motion to communicate with class members;
1147	04/02/12	Kinsey	3.00	\$ 100.00	\$ 300.00	Reviewed, revised and finalized plaintiffs' response to cities' motion for communication with plaintiffs [1.3]; prepared table of contents and table of authorities [.5]; reviewed, revised and finalized Marshall supporting declaration [.3]; assembled Marshall declaration exhibits [.5]; reviewed, revised and finalized Fisher declaration [.2]; arranged filing and service [.2].
1148	04/02/12	Murray	2.70	\$ 285.00	\$ 769.50	Revised response to motion for reasonable communication.
1149	04/02/12	Marshall	5.70	\$ 375.00	\$ 2,137.50	Worked on issues regarding defendants' request for communications with current and former class members [1.2]; worked on declaration and proposed order for same [.2]; telephone call from co-counsel regarding discovery and case strategy issues [.2]; researched, analyzed, and worked on discovery issues [1.2]; memorandum to co-counsel regarding same [.4]; reviewed documents and discovery responses produced by defendants [1.1]; conference call with co-counsel regarding discovery issues, deposition preparation, expert disclosures, briefing, and new public defense contract [1.0]; worked on expert disclosures and related issues [.4].
1150	04/02/12	Bledsoe	0.25	\$ 120.00	\$ 30.00	Review documents from Mr. Sybrandy and Emailed to Zuchetto.
1151	04/02/12	Talner	1.40	\$ 400.00	\$ 560.00	Conference call with co-counsel regarding discovery strategy; emails to expert witness regarding expert disclosures; review draft expert disclosure
1152	04/02/12	Roos	2.30	\$ 465.00	\$ 1,069.50	Telephone conference regarding discovery and related issues; review letter to defense counsel regarding court files; review files regarding Grant County litigation for court order relevant to same; review opposition to motion to communicate with class members; review opposition to motion to continue trial;
1153	04/02/12	Fisher	2.70	\$ 330.00	\$ 891.00	Create deposition chart for team; draft letter to opposing counsel requesting production of court files; draft rule 34 request for files; draft notice of depositions; participate in team call; research whether courts fall under rule 34 or 45 request;
1154	04/02/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Prepare for and participate in litigation team strategy call; edit expert witness FRCP 26 disclosure;
1155	04/03/12	Kinsey	1.20	\$ 100.00	\$ 120.00	Prepared and finalized praecipe to replace page of Fisher declaration [.9]; revised Fisher declaration [.1]; arranged filing and service [.2]

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1156	04/03/12	Boschen	0.60	\$ 150.00	\$ 90.00	Correspondence regarding expert CV [.1]; correspondence regarding third-party productions, discovery requests and expert disclosures [.2]; updated production log [.1]; correspondence regarding supplemental witness disclosures [.1]; correspondence regarding document storage access [.1].
1157	04/03/12	Marshall	1.50	\$ 375.00	\$ 562.50	Finalized praecipe for Ms. Fisher's declaration and ensured service of court notebook [.1]; worked on discovery issues [.4]; worked on witness and expert disclosure issues [.4]; telephone call from co-counsel regarding same [.1]; reviewed defendants' opposition to motion to continue trial and analyzed issues regarding same [.5].
1158	04/03/12	Dunne	0.40	\$ 380.00	\$ 152.00	Review letter and request for production; correspondence with J. Strait re expert disclosure
1159	04/03/12	Talner	0.50	\$ 400.00	\$ 200.00	Revisions to expert disclosure
1160	04/03/12	Fisher	0.80	\$ 330.00	\$ 264.00	Read defendants' opposition to plaintiffs' motion to modify scheduling order; review documents produced by M. Witt;
1161	04/03/12	Williams	3.00	\$ 580.00	\$ 1,740.00	Edit Plaintiffs' Second Request for Production and cover letter regarding same; edit and finalize letter to counsel for cities on depositions of City Administrators and on Rule 34 production of documents; review and coordinate expert witness disclosures; review expert witness disclosures from defendants;
1162	04/04/12	Boschen	0.40	\$ 150.00	\$ 60.00	Correspondence regarding clients location [.1]; Bates labeled third party production and correspondence regarding same [.2]; updated production log [.1].
1163	04/04/12	Marshall	3.90	\$ 375.00	\$ 1,462.50	Worked on factual background issues [.1]; researched and analyzed factual background and legal issues for reply in support of motion to modify case schedule [2.6]; worked on same [1.2].
1164	04/04/12	Talner	1.90	\$ 400.00	\$ 760.00	Review documents produced by one public defender, write summary of them for co-counsel
1165	04/04/12	Roos	0.80	\$ 465.00	\$ 372.00	Communications regarding discovery issues;
1166	04/04/12	Fisher	2.50	\$ 330.00	\$ 825.00	Review M. Witt's case files of J. Moon and A. Montague produced on April 3, 2012 in response to our February 14, 2012 request; meet with N. Talner and read M. Witt's case files;
1167	04/05/12	Marshall	3.60	\$ 375.00	\$ 1,350.00	Worked on reply in support of motion to modify case schedule [3.4]; email correspondence with co-counsel regarding same [.2].
1168	04/05/12	Williams	0.20	\$ 580.00	\$ 116.00	Review reply brief on motion to amend schedule;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1169	04/06/12	Boschen	0.90	\$ 150.00	\$ 135.00	Drafted and finalized supplemental declaration in support of motion to modify scheduling order and continue trial [.2]; pulled and prepared exhibits for same [.3]; correspondence regarding same [.1]; drafted supplemental witness disclosure [.3];
1170	04/06/12	Marshall	1.60	\$ 375.00	\$ 600.00	Worked on revisions to reply in support of motion to modify case schedule [.3]; worked on supplemental declaration in support of same [.7]; finalized documents for filing [.2]; worked on factual background and discovery issues [.4].
1171	04/06/12	Talner	0.80	\$ 400.00	\$ 320.00	Review cities' reply brief re communication with former class members and cities' expert witness reports
1172	04/06/12	Roos	0.60	\$ 465.00	\$ 279.00	Review reply regarding motion to continue trial date;
1173	04/06/12	Williams	1.50	\$ 580.00	\$ 870.00	Exchange emails with team on subpoena for Chris Jackson records and other matters related to pending motions;
1174	04/09/12	Boschen	0.50	\$ 150.00	\$ 75.00	Reviewed index of public disclosure request documents and production [.3]; correspondence regarding same [.2];
1175	04/09/12	Marshall	4.00	\$ 375.00	\$ 1,500.00	Telephone call from co-counsel regarding various discovery and case strategy issues [.3]; telephone calls from co-counsel regarding Sybrandy's production of documents and follow-up issues [.8]; worked on preparation for depositions of contract managers [.5]; telephone conference with co-counsel regarding discovery, expert, and case strategy issues [.8]; reviewed defendants' supplemental expert disclosures [.3]; researched and analyzed issues regarding expert disclosures and motions to exclude testimony [.5]; drafted letter to opposing counsel regarding same [.4]; email correspondence with co-counsel regarding same [.2]; worked on supplemental witness disclosure [.2].
1176	04/09/12	Zuchetto	2.75	\$ 330.00	\$ 907.50	Team strategy call re Subpoenas Duces Tecum, deps. (1.0); Follow up w/ co-counsel re same (.25); Draft letter to Sybrandy re Subpoena Duces Tecum (1.5).
1177	04/09/12	Talner	0.90	\$ 400.00	\$ 360.00	Conference call with co-counsel regarding discovery strategy; review draft witness disclosures

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1178	04/09/12	Fisher	2.60	\$ 330.00	\$ 858.00	Reply to N. Talner's email regarding production of files; email T. Marshall and M. Zuchetto inquiring about kites and complaints sent to J. Aarstad and E. Stendal in preparation for their depositions; prepare for team call; participate in team call to discuss depositions, discovery, pending motions; talk with M. Zuchetto and T. Marshall about production from Sybrandy and Witt and decide to follow-up with case files as well as request time spent on private matters;
1179	04/09/12	Roos	0.80	\$ 465.00	\$ 372.00	Telephone conference with team regarding discovery issues;
1180	04/09/12	Williams	7.00	\$ 580.00	\$ 4,060.00	Review Cities' Reply Brief in Support of Motion to Contact Indigent Clients; begin review of J. Aarstad documents in preparation for his deposition; begin selecting documents for key documents binder; participate in team strategy call on discovery and C. Jackson subpoena; review binder of E. Stendal documents to select documents for key documents binder; meet with B. Roos and C. Fisher on strategy for depositions; draft letter to accompany Notices of Deposition for Stendal and Aarstad;
1181	04/10/12	Kinsey	0.60	\$ 100.00	\$ 60.00	Reviewed, revised and finalized letter to Mr. Cooley regarding objection to improper supplemental expert disclosures [.4]; email correspondence to Mr. Cooley, opposing counsel and co-counsel regarding same [.2].
1182	04/10/12	Boschen	0.40	\$ 150.00	\$ 60.00	Worked on reviewing kites and complaints and correspondence regarding same [.4].
1183	04/10/12	Marshall	1.70	\$ 375.00	\$ 637.50	Worked on discovery issues [.9]; telephone call from consulting expert regarding public defense funding issues [.2]; analyzed issues regarding settlement proposal [.2]; email correspondence with co-counsel regarding same [.2]; email correspondence with opposing counsel regarding expert disclosures [.2].
1184	04/10/12	Zuchetto	2.75	\$ 330.00	\$ 907.50	Call w/ co-counsel re Subpoena Duces Tecum to Sybrandy/Witt (1.0); Draft letter to Sybrandy re same (1.75).
1185	04/10/12	Dunne	0.20	\$ 380.00	\$ 76.00	Email correspondence with co-counsel re discovery issues
1186	04/10/12	Talner	1.40	\$ 400.00	\$ 560.00	Emails and teleconference with co-counsel regarding issue of obtaining court and public defender files; investigate facts regarding new public defense contract

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1187	04/10/12	Fisher	3.40	\$ 330.00	\$ 1,122.00	Review and gather kites, complaints, and other relevant information for J. Aarstad and E. Stendal depositions; read emails regarding request for court documents; participate in phone call with N. Talner and M. Zuchetto; draft cover letter to accompany CR 45 subpoena;
1188	04/10/12	Williams	7.50	\$ 580.00	\$ 4,350.00	Review T. Marshall exhibits binder from cross-motion to identify key documents for depositions; continue drafting Master Deposition Outline; exchange correspondence with opposing counsel on production of municipal court files; draft subpoena for Municipal Court files;
1189	04/11/12	Boschen	1.60	\$ 150.00	\$ 240.00	Telephone conference with client [.3]; correspondence regarding same [.1]; correspondence and personal conference regarding scanning court records [.3]; continued work on second supplemental witness disclosures [.4]; correspondence and personal conference regarding same [.3]; reviewed declarations and client agreements [.2].
1190	04/11/12	Marshall	1.10	\$ 375.00	\$ 412.50	Worked on discovery issues [.5]; worked on witness list issues [.2]; telephone conference with expert regarding settlement issues [.4].
1191	04/11/12	Zuchetto	2.25	\$ 330.00	\$ 742.50	Work on letter to Sybandy re Subpoena Duces Tecum (1.75); Conf. call w/ team and consulting expert (.4); E-mail co-counsel re same (.1).
1192	04/11/12	Williams	0.40	\$ 580.00	\$ 232.00	Coordinate with C. Fisher and C. Kness on subpoena to Municipal Courts of Mt. Vernon and Burlington; review and approve letter to R. Sybandy on failure to produce records;
1193	04/12/12	Boschen	0.30	\$ 150.00	\$ 45.00	Personal conference and correspondence regarding staffing scanning of court case files [.2]; finalized second supplemental witness disclosures and correspondence regarding same [.1];
1194	04/12/12	Marshall	0.30	\$ 375.00	\$ 112.50	Telephone call from client regarding status update [.1]; worked on discovery issues [.2].
1195	04/12/12	Talner	0.20	\$ 400.00	\$ 80.00	Emails with co-counsel regarding supplemental witness disclosures
1196	04/12/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Review correspondence from opposing counsel on scheduling depositions and respond to same;
1197	04/13/12	Kinsey	0.70	\$ 100.00	\$ 70.00	Reviewed, revised and finalized plaintiffs' second supplemental witness disclosures [.3]; email correspondence to opposing and co-counsel [.2]; arranged delivery by messenger [.2].
1198	04/13/12	Marshall	0.20	\$ 375.00	\$ 75.00	Telephone call from co-counsel regarding communications with witnesses [.1]; analyzed issues regarding same [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1199	04/13/12	Talner	0.30	\$ 400.00	\$ 120.00	Draft letters to clients and witnesses regarding release of attorney files, emails with co-counsel regarding the draft letters to clients and witnesses
1200	04/15/12	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on discovery issues [.2].
1201	04/16/12	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence regarding scanning of court records [.1].
1202	04/16/12	Talner	0.20	\$ 400.00	\$ 80.00	Emails with co-counsel regarding obtaining court files
1203	04/16/12	Williams	1.50	\$ 580.00	\$ 870.00	Meet with C. Fisher and J. Higa on document production by Cities of court files pursuant to subpoena; conference call with Skagit County Prosecutor's office on stipulated protective order and coordination on production of documents; send team an email summarizing same;
1204	04/18/12	Boschen	2.90	\$ 150.00	\$ 435.00	Telephone conference with client [.1]; worked on downloading and Bates labeling production [.2]; updated production log [.2]; prepared transmittal and mailing to opposing for supplemental production [.2]; gathered and prepared documents for supplemental production [.9]; correspondence regarding same [.1]; vm from and telephone call to potential class member [.1]; researched potential class member's case history [.1]; reviewed discovery correspondence regarding depositions and supplemental productions in response to subpoenas and records releases [.5]; reviewed disclosures and updated witness list [.4]; correspondence regarding same [.1].
1205	04/18/12	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on discovery issues [.4].
1206	04/18/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review/analyze Sybrandy production (.4); E-mail team re same (.1).
1207	04/18/12	Talner	0.50	\$ 400.00	\$ 200.00	Emails to co-counsel regarding discovery follow up, review new documents produced by Sybrandy
1208	04/18/12	Williams	1.00	\$ 580.00	\$ 580.00	Finalize amended deposition notices for Aarstad and Stendal; continue development of master deposition outline for team;
1209	04/19/12	Boschen	1.00	\$ 150.00	\$ 150.00	Telephone conference with indigent defendant [.7]; drafted summary of same [.2]; updated witness list [.1].
1210	04/19/12	Fisher	1.70	\$ 330.00	\$ 561.00	Draft letter to J. Murphy regarding production of M. Witt's files pertaining to D. Hayes, L. Rodriguez, and R. Martineau; draft protective letter
1211	04/19/12	Williams	1.00	\$ 580.00	\$ 580.00	Draft letter to Skagit County Prosecutor's office on protocol for production of court files from Mt. Vernon and Burlington; exchange emails with team regarding same;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1212	04/20/12	Marshall	0.90	\$ 375.00	\$ 337.50	Analyzed issues regarding expert rebuttal reports and email correspondence with co-counsel regarding same [.3]; worked on discovery issues and email correspondence with co-counsel regarding same [.4]; worked on case strategy issues [.2].
1213	04/20/12	Talner	0.30	\$ 400.00	\$ 120.00	Emails to co-counsel regarding rebuttal expert disclosures
1214	04/20/12	Roos	0.30	\$ 465.00	\$ 139.50	Communications regarding court files and related discovery issues;
1215	04/20/12	Williams	0.50	\$ 580.00	\$ 290.00	Exchange emails with team on discovery related issues; meet with B. Roos and J. Higa on Cities' production of court documents;
1216	04/21/12	Fisher	0.80	\$ 330.00	\$ 264.00	Draft protective order for Mount Vernon and Burlington Municipal Court files;
1217	04/22/12	Fisher	1.50	\$ 330.00	\$ 495.00	Draft protective order for Mount Vernon and Burlington Court files;
1218	04/23/12	Marshall	1.10	\$ 375.00	\$ 412.50	Reviewed witness interview notes [.1]; telephone conferences with co-counsel regarding discovery, expert, and case strategy issues [1.0].
1219	04/23/12	Zuchetto	1.25	\$ 330.00	\$ 412.50	Team meeting re outstanding discovery issues, litigation strategy (1.0); Discuss Sybrandy issues w/ Marshall in advance of meeting (.25).
1220	04/23/12	Dunne	0.50	\$ 380.00	\$ 190.00	Conference call with co-counsel discovery issues and case strategy; email correspondence with co-counsel re discovery issues
1221	04/23/12	Fisher	3.30	\$ 330.00	\$ 1,089.00	Read team emails; attend team meeting; draft letter to opposing counsel to schedule P. Eason and C. Cammock depositions; review defendants' responses and document production in response to our first set of interrogatories and requests for documents; draft letter to defendants to request a rule 37 conference;
1222	04/23/12	Roos	1.20	\$ 465.00	\$ 558.00	Telephone conference with team regarding discovery issues; communications regarding same;
1223	04/23/12	Williams	4.50	\$ 580.00	\$ 2,610.00	Exchange emails with Skagit County Prosecutor on City production of records and coordinate with litigation team; prepare for and participate in litigation team conference call on outstanding discovery issues; continue development of master deposition outline for City administrators and prosecutors;
1224	04/24/12	Boschen	7.90	\$ 150.00	\$ 1,185.00	Correspondence regarding discovery [.3]; assessed production history, OCR'd production, Bates labeled production, and uploaded documents to shared network [7.4]; updated production log [.2].
1225	04/24/12	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on discovery issues [.4].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1226	04/24/12	Talner	3.60	\$ 400.00	\$ 1,440.00	Emails to co-counsel regarding discovery follow up, teleconference with expert witness re response to cities' experts
1227	04/24/12	Fisher	3.80	\$ 330.00	\$ 1,254.00	Draft CR 37 request letter to defense counsel; organize and review discovery received in case in preparation for depositions and CR 37 conference; send letters regarding scheduling of depositions for C. Cammock and P. Eason;
1228	04/24/12	Williams	6.50	\$ 580.00	\$ 3,770.00	Review email from C. Fisher on CR 37 letter; meet with C. Fisher on CR 37 letter to Cities and related issues; continue developing master deposition outline for city administrators and attorneys;
1229	04/25/12	Boschen	1.00	\$ 150.00	\$ 150.00	Continued OCR'ing production and uploading documents to shared network [1].
1230	04/25/12	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on discovery issues [.3].
1231	04/25/12	Talner	0.20	\$ 400.00	\$ 80.00	Emails with co-counsel re discovery followup
1232	04/25/12	Williams	5.20	\$ 580.00	\$ 3,016.00	Continue developing master deposition outline using key documents and discovery produced by Cities; meet with C. Fisher on CR 37 letter to obtain additional discovery; review prior discovery responses from City for follow-up requests;
1233	04/26/12	Boschen	1.80	\$ 150.00	\$ 270.00	Continued uploading production to shared network [.9]; researched class member case histories [.2]; drafted public disclosure requests for same [.3]; correspondence regarding discovery and records releases [.2]; produced documents to opposing counsel [.1]; updated production log [.1].
1234	04/26/12	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on expert and discovery issues [.4].
1235	04/26/12	Bledsoe	0.25	\$ 120.00	\$ 30.00	Review and finalize letter to Sybrandy re: subpoena outstanding requests.
1236	04/26/12	Zuchetto	1.50	\$ 330.00	\$ 495.00	Work on letter to Sybrandy re Subpoena Duces Tecum.
1237	04/26/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re discovery issues
1238	04/26/12	Talner	0.70	\$ 400.00	\$ 280.00	Emails with co-counsel re discovery followup, investigate rebuttal expert witness
1239	04/26/12	Fisher	2.20	\$ 330.00	\$ 726.00	Draft letter to J. Murphy requesting M. Witt's case files, total number of cases, and hours spent on non-public defense cases; return N. Talner's voice message and discuss discovery and expert rebuttal issues;
1240	04/26/12	Williams	7.50	\$ 580.00	\$ 4,350.00	Continue review of discovery responses and documents produced by Cities to refine CR 37 request for supplementation and continue drafting master deposition outline;
1241	04/27/12	Boschen	0.70	\$ 150.00	\$ 105.00	Telephone call to client [.1]; finalized and transmitted public disclosure requests [.2]; correspondence regarding discovery [.4].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1242	04/27/12	Talner	0.20	\$ 400.00	\$ 80.00	Emails with co-counsel re discovery followup
1243	04/27/12	Williams	7.00	\$ 580.00	\$ 4,060.00	Continue editing CR 37 letter to defendants on failure to adequately produce interrogatory answers or RFP responses to the first set of discovery from plaintiffs; coordinate with litigation team on potential rebuttal expert testimony;
1244	04/30/12	Marshall	1.30	\$ 375.00	\$ 487.50	Analyzed issues regarding depositions [.1]; email correspondence and telephone conference with co-counsel regarding same [.2]; reviewed letter from opposing counsel regarding privilege log [.1]; email correspondence with co-counsel regarding same [.1]; email to opposing counsel regarding scheduling of Sybrandy and Witt depositions [.1]; email correspondence with co-counsel regarding discovery issues [.1]; worked on same [.2]; telephone call from Mr. Wilbur regarding status of discovery [.1]; analyzed issues regarding caseload counts [.3].
1245	04/30/12	Zuchetto	0.20	\$ 330.00	\$ 66.00	Discuss Sybrandy/Witt depositions w/ co-counsel.
1246	04/30/12	Talner	0.10	\$ 400.00	\$ 40.00	Emails with co-counsel re discovery followup
1247	04/30/12	Dunne	0.10	\$ 380.00	\$ 38.00	Correspondence with J. Strait
1248	04/30/12	Roos	0.20	\$ 465.00	\$ 93.00	Communications regarding depositions; review deposition notices;
1249	04/30/12	Fisher	1.30	\$ 330.00	\$ 429.00	Read letter from J. Williams to A. Cooley regarding discovery productions; write and send notice of depositions for C. Cammock and P. Eason; write and send letter to defense counsel regarding production and payment of court files;
1250	04/30/12	Williams	7.50	\$ 580.00	\$ 4,350.00	Review binder containing Cities documents responding to discovery requests and continue selection of documents for key documents binder; exchange emails with team on potential evidence;
1251	05/01/12	Boschen	0.90	\$ 150.00	\$ 135.00	Discovery correspondence [.2]; drafted subpoenas and notices pertaining to Sybrandy and Witt depositions [.6]; personal conference regarding and correspondence regarding same [.1].
1252	05/01/12	Marshall	1.80	\$ 375.00	\$ 675.00	Worked on discovery issues [.7]; researched and analyzed issues regarding same [.4]; reviewed correspondence from opposing counsel regarding same [.2]; researched and analyzed issues regarding same [.3]; telephone conference with co-counsel regarding same [.2].
1253	05/01/12	Zuchetto	1.10	\$ 330.00	\$ 363.00	Research re 3rd party Subpoena Duces Tecum costs/party costs.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1254	05/01/12	Williams	5.00	\$ 580.00	\$ 2,900.00	Continue review of discovery production from Cities to identify key documents for deposition examination; exchange emails with opposing counsel on setting up CR 37 conference;
1255	05/02/12	Kinsey	1.20	\$ 100.00	\$ 120.00	Prepared draft of plaintiffs' first requests for admissions propounded to defendant City of Mount Vernon [.6]; prepared draft of plaintiffs' first requests for admissions to defendant City of Burlington [.6].
1256	05/02/12	Boschen	6.40	\$ 150.00	\$ 960.00	Reviewed conference call agenda and researched discovery and production items [.2]; telephone conference regarding discovery [1]; revised, finalized and emailed notices of deposition for Sybrandy and Witt [1.1]; telephone conferences and correspondence regarding deposition scheduling [.4]; telephone conference with Burlington Municipal Court regarding public disclosure request [.1]; worked on pulling documents for experts [.7]; correspondence regarding same [.1]; worked on Sybrandy and Witt deposition preparation [2.5]; researched attorney contact information and updated case contacts [.2]; updated production log [.1].
1257	05/02/12	Marshall	4.90	\$ 375.00	\$ 1,837.50	Worked on subpoenas to Mr. Sybrandy and Mr. Witt and issues regarding depositions [.2]; worked on discovery issues [.5]; telephone conferences with co-counsel regarding discovery, expert, lay witness, and case strategy issues [1.2]; worked on requests for admission [2.3]; researched and analyzed issues regarding same [.5]; telephone conference with co-counsel regarding same [.2].
1258	05/02/12	Zuchetto	2.85	\$ 330.00	\$ 940.50	Work on Requests for Admission/Interrogatories to defendants (1.1); Team call re litigation strategy (1.0); Research re costs in responding to Subpoena Duces Tecum (.75).
1259	05/02/12	Dunne	0.30	\$ 380.00	\$ 114.00	Conference call with J. Strait re case and expert disclosure
1260	05/02/12	Talner	3.00	\$ 400.00	\$ 1,200.00	Conference call with co-counsel re discovery issues; draft rebuttal declaration for expert witness; review and comment on draft requests for admission; review documents to be sent to experts for review
1261	05/02/12	Fisher	1.50	\$ 330.00	\$ 495.00	Participate in team call to discuss outstanding issues; write email to W. Honea letting him know we will deliver the check for the court files either today or tomorrow and inquire as to how we will receive the files;
1262	05/02/12	Williams	1.90	\$ 580.00	\$ 1,102.00	Prepare for and participate in litigation strategy call; discuss action items with B. Roos and C. Fisher;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1263	05/02/12	Roos	2.80	\$ 465.00	\$ 1,302.00	Telephone conference with defense team regarding discovery issues; draft letter and subpoena regarding jail visit logs; research regarding same; review correspondence regarding discovery issues;
1264	05/03/12	Kinsey	1.50	\$ 100.00	\$ 150.00	Reviewed, revised and finalized Sybrandy and Witt subpoenas and notices of deposition [.4]; arranged delivery by messenger and U.S. mail [.1]; prepared draft of plaintiffs' second interrogatories and third requests for production of documents to defendant City of Burlington [.5]; prepared draft of plaintiffs' second interrogatories and third requests for production of documents to defendant City of Mount Vernon [.5].
1265	05/03/12	Boschen	1.60	\$ 150.00	\$ 240.00	Correspondence regarding expert production [.2]; drafted letters and prepared production to experts [.6]; personal conference regarding same [.1]; updated production log [.1]; uploaded document to shared network [.1]; prepared mailing to Mount Vernon Municipal Court for public records [.2]; reviewed discovery requests [.3].
1266	05/03/12	Marshall	5.20	\$ 375.00	\$ 1,950.00	Email correspondence with witness regarding factual background issues [.1]; email correspondence with co-counsel regarding requests for admission [.1]; worked on Ms. Jackson's rebuttal report [.6]; analyzed issues regarding exhibits to same [.4]; worked on revisions to requests for admission [.3]; worked on discovery issues and evidence to prove claims [.5]; prepared for conference call with opposing counsel regarding discovery issues, reviewing various discovery materials and researched and analyzed issues regarding same [.8]; participated in same [.9]; telephone conference with co-counsel regarding same [.1]; drafted memorandum regarding same [.4]; researched and analyzed issues regarding objections to questioning of immigration status of Mr. Sanchez [.4]; drafted memorandum regarding same [.4]; telephone conference with co-counsel regarding same [.2].
1267	05/03/12	Zuchetto	3.50	\$ 330.00	\$ 1,155.00	Work on motion to compel Sybrandy docs.
1268	05/03/12	Talner	1.80	\$ 400.00	\$ 720.00	Teleconferences with expert witness re revising draft rebuttal declaration and finalizing it
1269	05/03/12	Roos	0.90	\$ 465.00	\$ 418.50	Attend Rule 37 conference regarding interrogatory and request for production responses; telephone conference with T. Marshall regarding same;
1270	05/03/12	Fisher	1.20	\$ 330.00	\$ 396.00	Read team emails; write cover letter to W. Honea re payment for the court files; read email summarizing CR 37 conference;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1271	05/03/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Review and approve correspondence with Skagit County on release of court files; review proposed rebuttal expert opinions and emails related thereto; coordinate with litigation team on depositions of municipal court judges; review and approve draft Requests for Admission;
1272	05/04/12	Kinsey	1.00	\$ 100.00	\$ 100.00	Reviewed, revised and finalized plaintiffs' first requests for admissions to defendant City of Burlington [.2]; reviewed, revised and finalized plaintiffs' first requests for admission to defendant City of Mount Vernon [.2]; reviewed. reviewed, revised and finalized plaintiffs' second interrogatories and third requests for production to defendant City of Burlington [.2]; reviewed, revised and finalized plaintiffs' second interrogatories and third requests for production to defendant City of Mount Vernon [.2]; arranged delivery by messenger regarding same [.2].
1273	05/04/12	Boschen	0.70	\$ 150.00	\$ 105.00	Personal conferences and correspondence regarding subpoenas; personal conferences and correspondence regarding discovery requests; correspondence regarding court case files and labeling and uploading same; updated production log.
1274	05/04/12	Marshall	3.50	\$ 375.00	\$ 1,312.50	Worked on additional RFAs, interrogatories, and RFPs to Defendants [.8]; worked on Ms. Jackson's expert rebuttal report [.2]; worked on memorandum to co-counsel regarding discovery call [.2]; worked on analysis of issues defendants raised regarding Mr. Sanchez's deposition [.8]; telephone conference with co-counsel regarding same [.5]; email to opposing counsel regarding Rule 37 call [.4]; worked on discovery issues [.6].
1275	05/04/12	Zuchetto	5.75	\$ 330.00	\$ 1,897.50	Edit/revise Requests for Admission, Interrogatories and Requests for Production to Defendants (1.75); Work on motion to compel Sybrandy (3.5); Analyze 5th amendment issues re depositions (.3); Discuss same w/ co-counsel (.2).
1276	05/04/12	Talner	0.60	\$ 400.00	\$ 240.00	Finalize rebuttal expert declaration, respond to co-counsel re discovery issues (defense demand to re-open depositions)
1277	05/04/12	Roos	1.90	\$ 465.00	\$ 883.50	Draft letter regarding jail visit logs; communications regarding discovery issues; revise summary of Rule 37 conference;
1278	05/04/12	Fisher	0.70	\$ 330.00	\$ 231.00	Send deposition letters regarding Judge Svaren and Skelton; organize pick-up of CDs containing court files; organize uploading files to extranet site;
1279	05/04/12	Williams	1.50	\$ 580.00	\$ 870.00	Coordinate with co-counsel on setting up depositions and discovery responses;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1280	05/06/12	Marshall	0.60	\$ 375.00	\$ 225.00	Worked on discovery and document management issues [.6].
1281	05/07/12	Kinsey	1.00	\$ 100.00	\$ 100.00	Finalized Morgan Witt deposition notice and subpoena [.2]; arranged service of process of deposition subpoena on Morgan Witt and Richard Sybrandy [.3]; telephone conference with Likkell & Associates regarding court reporting and conference room [.3]; arranged messenger delivery to opposing counsel [.2].
1282	05/07/12	Marshall	1.70	\$ 375.00	\$ 637.50	Email correspondence with co-counsel and opposing counsel regarding scheduling of Witt deposition [.1]; exchanged messages with Mr. Murphy regarding same [.1]; telephone calls from Mr. Murphy regarding same [.1]; docketed deposition and worked on amending subpoena [.1]; sent email to opposing counsel and co-counsel regarding new date [.1]; worked on motion to compel production of documents by Mr. Sybrandy [.5]; worked on discovery issues [.2]; worked on search terms for discovery requests to defendants [.5].
1283	05/07/12	Zuchetto	4.00	\$ 330.00	\$ 1,320.00	Work on motion to compel (3.5); Work on scheduling Sybrandy dep. (.25); Review Witt objections re Subpoena Duces Tecum and e-mail defense counsel re same (.25).
1284	05/07/12	Talner	1.30	\$ 400.00	\$ 520.00	Follow-up to rebuttal expert declaration, begin review of court files
1285	05/07/12	Fisher	0.70	\$ 330.00	\$ 231.00	Draft motion to compel production of documents; review J. Murphy's objections to recent request for documents in preparation for CR 37 conference;
1286	05/07/12	Roos	0.30	\$ 465.00	\$ 139.50	Communications regarding discovery issues;
1287	05/08/12	Kinsey	0.20	\$ 100.00	\$ 20.00	Multiple telephone conferences with Diane at ABC regarding Sybrandy subpoena service.
1288	05/08/12	Boschen	0.30	\$ 150.00	\$ 45.00	Correspondence regarding cancelled depositions [.1]; reviewed electronic discovery search terms [.1]; correspondence regarding discovery requests [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1289	05/08/12	Marshall	2.30	\$ 375.00	\$ 862.50	Worked on search term list for defendants' discovery production [.8]; email to co-counsel regarding same [.1]; reviewed email from opposing counsel regarding discovery and analyzed issues regarding same [.2]; analyzed issues regarding Fifth Amendment privilege objections [.2]; analyzed issues regarding document production [.1]; reviewed order extending case schedule deadlines [.1]; analyzed issues regarding same [.1]; worked on expert, deposition, and discovery issues and email correspondence with co-counsel regarding same [.7].
1290	05/08/12	Bledsoe	0.50	\$ 120.00	\$ 60.00	Work on Motion to Compel with Subpoena Duces Tecum.
1291	05/08/12	Zuchetto	1.95	\$ 330.00	\$ 643.50	Work on scheduling Sybrandy deposition (.25); Work on motion to compel Sybrandy (1.7).
1292	05/08/12	Talner	0.40	\$ 400.00	\$ 160.00	Emails with co-counsel re discovery and schedule issues,continue review of court files
1293	05/08/12	Fisher	1.90	\$ 330.00	\$ 627.00	Read team emails; respond to opposing counsel's request for court records without payment;
1294	05/08/12	Roos	0.40	\$ 465.00	\$ 186.00	Review amended scheduling order; communications regarding discovery and scheduling order;
1295	05/09/12	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on discovery issues [.1]; email to opposing counsel regarding cancellation of depositions [.1].
1296	05/09/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review search terms re discovery requests and e-mail co-counsel re same.
1297	05/09/12	Fisher	0.90	\$ 330.00	\$ 297.00	Draft and send J. Murphy letter requesting Rule 37 conference;
1298	05/09/12	Roos	0.20	\$ 465.00	\$ 93.00	Review and revise search terms;
1299	05/10/12	Marshall	0.30	\$ 375.00	\$ 112.50	Reviewed court's order on case schedule [.1]; analyzed issues regarding same [.1]; cancelled depositions of Mr. Witt and Mr. Sybrandy [.1].
1300	05/10/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review/analyze Court's ruling re contact w/ class members.
1301	05/10/12	Dunne	0.20	\$ 380.00	\$ 76.00	Review Order from court re questioning of class members; email correspondence with co-counsel re same
1302	05/10/12	Fisher	0.80	\$ 330.00	\$ 264.00	Read order granting in part and denying in part defendants' motion to allow communications with former and current indigent defendants; draft motion to compel production;
1303	05/10/12	Roos	0.30	\$ 465.00	\$ 139.50	Communications regarding discovery issues; review court order regarding contact of class members;
1304	05/11/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re discovery issues and jail visitor logs

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1305	05/11/12	Fisher	2.90	\$ 330.00	\$ 957.00	Draft motion to compel R. Sybrandy and M. Witt to comply with subpoena duces tecum;
1306	05/14/12	Marshall	0.10	\$ 375.00	\$ 37.50	Telephone call from co-counsel regarding discovery issues [.1].
1307	05/14/12	Zuchetto	1.75	\$ 330.00	\$ 577.50	Review/incorp. co-counsel revisions to Sybrandy motion to compel.
1308	05/14/12	Fisher	1.70	\$ 330.00	\$ 561.00	Draft motion to compel R. Sybrandy and M. Witt to produce documents in response to Plaintiffs' subpoena;
1309	05/14/12	Williams	1.50	\$ 580.00	\$ 870.00	Review email exchanges on case strategy and discovery responses from counsel for Cities; conference call with C. Fisher on production of documents from Cities;
1310	05/15/12	Marshall	1.00	\$ 375.00	\$ 375.00	Telephone call from Mr. Wilbur regarding status of case and factual background issues [.4]; worked on discovery issues [.3]; telephone conference with Ms. Osborne regarding same and status of lawsuit [.2]; email to Ms. Osborne transmitting court orders [.1].
1311	05/15/12	Zuchetto	3.25	\$ 330.00	\$ 1,072.50	Prepare declaration and order re motion to compel Sybrandy and edit motion re same.
1312	05/15/12	Fisher	2.60	\$ 330.00	\$ 858.00	Write declaration in support of motion to compel R. Sybrandy's and M. Witt's compliance with subpoenas;
1313	05/15/12	Williams	1.00	\$ 580.00	\$ 580.00	Review Court's Amended Order Setting Trial Date and Related Dates; review Court's Order regarding Defendants' access to indigent defendants;
1314	05/16/12	Marshall	1.90	\$ 375.00	\$ 712.50	Worked on motion to compel production of documents by Messrs. Witt and Sybrandy and related documents [.6]; researched and analyzed issues regarding Defendants' request for copies of subpoenaed court records without payment [.5]; email correspondence with co-counsel regarding same [.1]; drafted letter to opposing counsel regarding same [.3]; analyzed issues regarding Rule 37 conference with Mr. Witt's attorney [.1]; telephone conference with co-counsel regarding same [.2]; email correspondence with co-counsel regarding defendants' request for court records [.1].
1315	05/16/12	Bledsoe	0.50	\$ 120.00	\$ 60.00	Review and revise Pls Mtn to Compel Sybrandy's Compliance with Subpoenas Duces Tecum.
1316	05/16/12	Zuchetto	0.30	\$ 330.00	\$ 99.00	Review/revise letter to defense counsel re case files.
1317	05/16/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re discovery issues and case files
1318	05/16/12	Talner	0.20	\$ 400.00	\$ 80.00	Emails with co-counsel re deposition scheduling

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1319	05/16/12	Fisher	0.30	\$ 330.00	\$ 99.00	Call J. Murphy to set up CR 37 conference; read motion to compel R. Sybrandy's compliance with subpoena; read letter to opposing counsel regarding payment of court files;
1320	05/16/12	Williams	0.50	\$ 580.00	\$ 290.00	Exchange emails with litigation team on rescheduling of depositions;
1321	05/17/12	Marshall	1.00	\$ 375.00	\$ 375.00	Email correspondence and telephone conference with co-counsel regarding proof of service of subpoena on Mr. Sybrandy and requested relief in motion to compel [.2]; worked on discovery issues [.4]; telephone conference with co-counsel regarding same [.4].
1322	05/17/12	Bledsoe	1.00	\$ 120.00	\$ 120.00	Review and finalize Mtn to Compel Sybrandy and supporting docs.
1323	05/17/12	Bergland	1.60	\$ 190.00	\$ 304.00	Review of and revisions to Motion to Compel Production; cite check same; review of and revisions to Zuchetto Declaration.
1324	05/17/12	Zuchetto	3.00	\$ 330.00	\$ 990.00	Team meeting re dep. scheduling/case strategy (.5); Review/edit motion to compel Sybrandy (2.5).
1325	05/17/12	Talner	0.70	\$ 400.00	\$ 280.00	Conference call with co-counsel re deposition scheduling, review and comment on motion to compel production from Sybrandy
1326	05/17/12	Fisher	2.00	\$ 330.00	\$ 660.00	Write and send letter to J. Murphy confirming CR 37 conference; participate in team call regarding depositions;
1327	05/17/12	Roos	0.50	\$ 465.00	\$ 232.50	Telephone conference regarding depositions and discovery;
1328	05/17/12	Williams	2.00	\$ 580.00	\$ 1,160.00	Conference call with team on rescheduling of depositions; draft letter to opposing counsel on reasons for deposition rescheduling and probable dates;
1329	05/18/12	Marshall	0.40	\$ 375.00	\$ 150.00	Telephone call from co-counsel regarding motion to compel production from Sybrandy and discovery issues [.2]; worked on filing of same [.1]; worked on discovery issues [.1].
1330	05/18/12	Bledsoe	0.50	\$ 120.00	\$ 60.00	Finalize Motion to Compel Sybrandy and supporting docs and e-mail to Marshall for delivery to Judge.
1331	05/18/12	Zuchetto	1.75	\$ 330.00	\$ 577.50	Edit/finalize motion to compel Sybrandy.
1332	05/18/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re discovery and scheduling of depositions
1333	05/18/12	Talner	1.30	\$ 400.00	\$ 520.00	Review and respond to cities' list of claimed improper 5th Amendment objections in depositions
1334	05/18/12	Williams	0.50	\$ 580.00	\$ 290.00	Finalize letter to counsel for defendants cancelling depositions and offering rescheduling dates;
1335	05/18/12	Fisher	0.10	\$ 330.00	\$ 33.00	Review letter regarding re-noting depositions;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1336	05/21/12	Zuchetto	1.75	\$ 330.00	\$ 577.50	Review supplemental discovery material (.3); Discuss same w/ co-counsel (.2); Analyze def. privilege log and e-mail co-counsel re same (1.25).
1337	05/21/12	Fisher	0.70	\$ 330.00	\$ 231.00	Prepare for CR 37 conference with J. Murphy;
1338	05/21/12	Williams	1.00	\$ 580.00	\$ 580.00	Review plaintiffs' motion to compel Sybrandy compliance with subpoena;
1339	05/22/12	Talner	1.90	\$ 400.00	\$ 760.00	Review cities' supplement production and emails to co-counsel about it; research cities' budget information re public defense funding
1340	05/22/12	Fisher	4.10	\$ 330.00	\$ 1,353.00	Prepare for CR 37 conference with J. Murphy regarding M. Witt's production; participate in CR 37 conference with J Murphy; draft motion to compel Cities to answer discovery requests; write letter to J. Murphy summarizing CR 37 conference;
1341	05/22/12	Williams	4.00	\$ 580.00	\$ 2,320.00	Review and edit master deposition outline for counties to include exhibit examination from key documents binder; review and edit CR 37 letter to counsel for Morgan Witt;
1342	05/23/12	Fisher	1.70	\$ 330.00	\$ 561.00	Prepare for and participate in fourth CR 37 conference with J. Murphy; draft and send J. Murphy letter summarizing conference;
1343	05/23/12	Williams	5.50	\$ 580.00	\$ 3,190.00	Continue drafting master deposition outline for City Administrators and City Attorneys;
1344	05/24/12	Boschen	2.40	\$ 150.00	\$ 360.00	Worked on production and discovery issues and correspondence regarding same [2.4];
1345	05/24/12	Marshall	0.70	\$ 375.00	\$ 262.50	Worked on document management issues [.2]; email correspondence with Ms. Montague regarding status of lawsuit [.1]; researched and analyzed issues regarding factual background in preparation for depositions [.3]; email correspondence with co-counsel regarding same [.1].
1346	05/25/12	Boschen	6.90	\$ 150.00	\$ 1,035.00	Worked on bates labeling and converting native productions; personal conferences regarding same; updated client contact information; reviewed discovery requests and responses; correspondence regarding same;
1347	05/25/12	Talner	0.80	\$ 400.00	\$ 320.00	Review discovery documents and send relevant parts to co-counsel for deposition preparation
1348	05/25/12	Williams	0.70	\$ 580.00	\$ 406.00	Exchange emails on production of client complaints that pre-date 2006; review and edit letter to Cooley on setting up depositions;
1349	05/25/12	Fisher	0.70	\$ 330.00	\$ 231.00	Discuss production issues; write and send letter to A. Cooley regarding rescheduling of depositions; read and reply to team emails;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1350	05/27/12	Marshall	2.10	\$ 375.00	\$ 787.50	Worked on discovery and document management issues [.3]; worked on witness issues [.2]; reviewed Ms. Coleman's bid to Cities for public defense services and analyzed issues regarding same [.2]; researched and analyzed issues regarding response to defendants regarding objections on fifth amendment grounds [1.0]; email to co-counsel regarding same [.4].
1351	05/28/12	Fisher	0.60	\$ 330.00	\$ 198.00	Write letter to opposing counsel to schedule a CR 37 conference in order to discuss production of client complaints;
1352	05/29/12	Boschen	7.30	\$ 150.00	\$ 1,095.00	Continued work on production issues; telephone conferences and correspondence regarding same; commenced work on document review; updated pleading with Perkins Coie address change.
1353	05/29/12	Marshall	0.50	\$ 375.00	\$ 187.50	Worked on response to opposing counsel regarding objections on fifth amendment and relevance grounds [.2]; email correspondence with co-counsel regarding same [.1]; worked on discovery and deposition scheduling issues [.2].
1354	05/29/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review 5th amendment objections/proposed compromise re depositions and e-mail co-counsel re same.
1355	05/29/12	Fisher	2.40	\$ 330.00	\$ 792.00	Finalize letter to A. Cooley requesting CR 37 conference to discuss production of client complaints; review documents; read and respond to team emails;
1356	05/29/12	Williams	0.50	\$ 580.00	\$ 290.00	Coordinate with litigation team on discovery issues;
1357	05/30/12	Boschen	7.10	\$ 150.00	\$ 1,065.00	Continued work on document review [7.1].
1358	05/30/12	Fisher	2.90	\$ 330.00	\$ 957.00	Email J. Boschen list of depositions and deponents; draft motion to compel M. Witt to produce documents;
1359	05/31/12	Boschen	7.00	\$ 150.00	\$ 1,050.00	Continued document review and indexing [5.6]; correspondence regarding same [.2]; conference call regarding discovery and depositions [1.2];
1360	05/31/12	Marshall	2.40	\$ 375.00	\$ 900.00	Prepared for conference call with co-counsel regarding discovery and case strategy issues [.2]; participated in same [1.5]; worked on action item plan for discovery, deposition, and case strategy issues [.2]; researched and analyzed issues regarding discoverability of names of attorney's clients and email correspondence with co-counsel regarding same [.1]; reviewed recent document production by defendants [.4].
1361	05/31/12	Zuchetto	1.50	\$ 330.00	\$ 495.00	Preparation for and attend teleconference team litigation strategy meeting.
1362	05/31/12	Talner	1.90	\$ 400.00	\$ 760.00	Conference call with co-counsel to discuss discovery followup actions, emails regarding pieces of evidence in cities' supplemental production

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1363	05/31/12	Fisher	3.90	\$ 330.00	\$ 1,287.00	Write agenda for today's call and send to team; draft motion to compel M. Witt's compliance with subpoena; talk with J. Murphy regarding document production'; write summary letter to J. Murphy regarding our call; draft letter to A. Cooley regarding his notice of unavailability;
1364	05/31/12	Williams	3.00	\$ 580.00	\$ 1,740.00	Prepare for and preside over litigation team strategy call; review newly produced documents for inclusion in hot documents binder; draft letter to Cooley responding to Notice of Unavailability;
1365	05/31/12	Roos	1.20	\$ 465.00	\$ 558.00	Telephone conference with team regarding discovery and related issues; communications regarding legal research projects and deposition scheduling;
1366	06/01/12	Boschen	7.10	\$ 150.00	\$ 1,065.00	Drafted SDT to Mountain Law and correspondence regarding same [.4]; continued work on document review [6.5]; correspondence regarding discovery [.2].
1367	06/01/12	Marshall	2.40	\$ 375.00	\$ 900.00	Reviewed new public defense services contract [.4]; analyzed issues regarding subpoena to Mountain Law [.4]; worked on same [.6]; email to co-counsel regarding same [.3]; reviewed documents produced by defendants [.4]; analyzed issues regarding complaints to cities about public defense services [.1]; email correspondence with co-counsel regarding same [.1]; telephone conference with co-counsel regarding deposition scheduling [.1].
1368	06/01/12	Zuchetto	2.00	\$ 330.00	\$ 660.00	Work on scheduling Sybrandy deposition and e-mail co-counsel re same (1.25); Review/analyze Requests for Admission/Interrogatory responses (.75).
1369	06/01/12	Talner	1.50	\$ 400.00	\$ 600.00	Emails with co-counsel re reviewing and revising discovery documents
1370	06/01/12	Williams	1.00	\$ 580.00	\$ 580.00	Review and exchange emails on discovery requests to new public defender; participate in CR 37 conference on missing complaints from 2005-08 on Sybrandy & Witt;
1371	06/01/12	Fisher	1.50	\$ 330.00	\$ 495.00	Work on notice of depositions; participate in CR 37 conference regarding complaints prior to 2008 and after April 30, 2012; review discovery responses;
1372	06/03/12	Marshall	0.20	\$ 375.00	\$ 75.00	Finalized subpoena to Mountain Law and analyzed issues regarding service on same [.2].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1373	06/04/12	Marshall	1.10	\$ 375.00	\$ 412.50	Worked on discovery and document management issues [.3]; message from Mr. Murphy and email correspondence with co-counsel regarding deposition scheduling issues [.1]; analyzed issues and email correspondence with co-counsel regarding same [.1]; reviewed defendants' supplemental discovery responses [.3]; analyzed issues regarding Mr. Rosenberg's letter of May 21 and left message with Mr. Rosenberg regarding same [.3].
1374	06/04/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Draft/finalize letter re scheduling depositions.
1375	06/04/12	Williams	2.00	\$ 580.00	\$ 1,160.00	Review Cities' responses to Requests for Admission and begin integration of responses into deposition outline;
1376	06/04/12	Roos	0.20	\$ 465.00	\$ 93.00	Review and revise subpoenas and notices of deposition;
1377	06/05/12	Boschen	5.20	\$ 150.00	\$ 780.00	Continued work on document and video production review [2.5]; correspondence regarding production and discovery [.2]; burned sets of defendants' productions for co-counsel and prepared mailings for same [1.1]; downloaded production from FTP site [.2]; updated production log [.1]; correspondence with opposing counsel regarding production issues [.1]; researched SDT notice issues and correspondence and personal conference regarding same [.2]; drafted and finalized notice and subpoena [.5]; prepared service and mailing of same [.2]; correspondence and telephone call to Mr. Murphy regarding scheduling Mr. Witt's deposition [.1].
1378	06/05/12	Marshall	2.30	\$ 375.00	\$ 862.50	Telephone conferences with co-counsel regarding failure of Mr. Sybrandy to respond to motion to compel [.1]; researched and analyzed issues regarding service of motion on third party [.3]; prepared for call with opposing counsel regarding search terms and other discovery issues [.2]; telephone conference with opposing counsel regarding same [.2]; email correspondence with co-counsel and opposing counsel regarding same [.2]; analyzed issues regarding search terms [.3]; email correspondence with co-counsel regarding same [.3]; reviewed documents produced by defendants [.4]; analyzed issues regarding SDT to Mountain Law [.1]; reviewed letter from opposing counsel regarding deposition of Mr. Rogerson [.1]; analyzed issues regarding document production by defendants [.1].
1379	06/05/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review discovery resp. re bid proposal and e-mail team re same (.25); Draft letter to Sybrandy re overdue responses (.75).
1380	06/05/12	Talner	0.60	\$ 400.00	\$ 240.00	Review documents produced in discovery and email about them to co-counsel

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1381	06/05/12	Fisher	2.50	\$ 330.00	\$ 825.00	Review documents produced by Cities; draft agenda for weekly team meeting; read and respond to emails; talk with J. Murphy about M. Witt's production;
1382	06/05/12	Williams	1.50	\$ 580.00	\$ 870.00	Update deposition outline for E. Stendal with questions based on Mt. Vernon responses to Requests for Admission and answers to Interrogatories;
1383	06/06/12	Boschen	6.10	\$ 150.00	\$ 915.00	Continued document review [4.8]; correspondence regarding discovery and production [.2]; case status telephone conference [.5]; reviewed Sybrandy response to motion to compel [.1]; reviewed documents relevant to Sybrandy WSBA complaints and correspondence regarding same [.2]; personal confernece and correspondence regarding Rogerson deposition [.1]; correspondence with Mr. Murphy regarding Witt deposition [.1]; correspondence regarding court observation [.1].
1384	06/06/12	Marshall	1.70	\$ 375.00	\$ 637.50	Prepared for weekly conference call with co-counsel regarding discovery, expert, legal, and case strategy issues [.1]; participated in same [.5]; reviewed email and document production from Mr. Sybrandy in response to motion to compel [.2]; worked on discovery issues [.3]; email to opposing counsel regarding meeting to discuss search terms and other discovery issues [.1]; reviewed Mr. Sybrandy's response to motion to compel production and analyzed issues regarding same [.5].
1385	06/06/12	Zuchetto	1.75	\$ 330.00	\$ 577.50	Review/analyze R. Sybrandy response re motion to compel and e-mail co-counsel and defense counsel re same.
1386	06/06/12	Talner	0.30	\$ 400.00	\$ 120.00	Review documents produced in discovery and email about them to co-counsel
1387	06/06/12	Roos	0.80	\$ 465.00	\$ 372.00	Telephone conference with team regarding discovery; communications regarding research projects;
1388	06/06/12	Fisher	1.10	\$ 330.00	\$ 363.00	Prepare for and participate in weekly team call; send T. Marshall a stipulated protective order signed by R. Lasnik; read R. Sybrandy's email and letter regarding motion to compel; read R. Sybrandy's declaration in response to plaintiff's motion to compel compliance with subpoena;
1389	06/06/12	Williams	1.50	\$ 580.00	\$ 870.00	Prepare for and coordinate litigation team conference call on case status; review Sybrandy response to plaintiffs' Motion to Compel;
1390	06/07/12	Boschen	2.40	\$ 150.00	\$ 360.00	Continued document review [2.4].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1391	06/07/12	Marshall	0.80	\$ 375.00	\$ 300.00	Analyzed issues regarding stipulation to extend reply brief deadline on motion to compel Sybrandy production [.2]; telephone conference with co-counsel regarding same [.1]; telephone conference and email correspondence with Ms. Sunne regarding indigent defense investigation [.2]; email correspondence with co-counsel regarding same [.1]; analyzed issues regarding reply in support of motion to compel Sybrandy production [.1]; worked on strategy for locating witnesses [.1].
1392	06/07/12	Bledsoe	1.00	\$ 120.00	\$ 120.00	Draft Stipulated Order re: extending deadline to reply to Sybrandy's response to Motion to Compel (.7); Draft Note for Hearing re: same (.3).
1393	06/07/12	Zuchetto	2.50	\$ 330.00	\$ 825.00	Work on stipulation re continue deadline for reply re Subpoena Duces Tecum.
1394	06/08/12	Boschen	3.30	\$ 150.00	\$ 495.00	Prepared letter and mailing to Mr. Sybrandy for delivery of documents and correspondence regarding same [.5]; worked on production and discovery issues relating to motion to compel and correspondence regarding same [.9]; correspondence with Mr. Murphy regarding the deposition of Morgan Witt [.1]; correspondence regarding court observations [.1]; continued reviewing documents [1.7].
1395	06/08/12	Marshall	2.50	\$ 375.00	\$ 937.50	Analyzed issues regarding Sybrandy production [.2]; reviewed defendants' proposed protective order and analyzed issues regarding same [.3]; worked on revisions to same [.2]; researched and analyzed issues regarding same local rules on protective orders and HIPAA application [.3]; worked on reply in support of motion to compel Sybrandy production [1.5].
1396	06/08/12	Zuchetto	5.00	\$ 330.00	\$ 1,650.00	E-mail Jen re Sybrandy docs. (.3); Work on reply re Sybrandy motion to compel (4.7).
1397	06/08/12	Fisher	0.80	\$ 330.00	\$ 264.00	Write letter to J. Murphy proposing to inspect files ourselves;
1398	06/09/12	Zuchetto	0.10	\$ 330.00	\$ 33.00	Review proposed protective order and e-mail co-counsel re same.
1399	06/10/12	Zuchetto	3.00	\$ 330.00	\$ 990.00	Work on reply re Motion to Compel Sybrandy.
1400	06/11/12	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence with Mr. Murphy regarding Mr. Witt's deposition [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1401	06/11/12	Marshall	0.90	\$ 375.00	\$ 337.50	Worked on deposition scheduling issues and email correspondence with co-counsel regarding same [.1]; analyzed issues regarding production of documents by Mr. Witt and Mr. Sybrandy [.2]; email correspondence with co-counsel regarding revisions to protective order proposed by opposing counsel [.1]; analyzed issues regarding same and email to opposing counsel regarding same [.2]; worked on reply in support of motion to compel Sybrandy documents [.2]; reviewed opposing counsel's revisions to protective order and analyzed issues regarding same [.1].
1402	06/11/12	Bledsoe	1.00	\$ 120.00	\$ 120.00	Office meeting with Zuchetto and MF re: depo notices and reply due to Mtn to Compel Sybrandy (.25); Review of and forward Sybrandy's replies to Pls discovery to TMDW (.25); Draft Deposition Notice for Richard Sybrandy (.5).
1403	06/11/12	Zuchetto	7.05	\$ 330.00	\$ 2,326.50	Work on Reply re Sybrandy motion to compel (6.75); Call w/ witness re Sybrandy bar complaints (.3).
1404	06/11/12	Dunne	0.20	\$ 380.00	\$ 76.00	Review and revise proposed protective order
1405	06/11/12	Fisher	0.70	\$ 330.00	\$ 231.00	Edit and send letter to J. Murphy regarding proposal to inspect copies ourselves;
1406	06/12/12	Kinsey	1.60	\$ 100.00	\$ 160.00	Email correspondence with Likkel and Associates regarding scheduling video depositions of Witt and Sybrandy [.3]; prepared drafts of and finalized amended subpoenas in a civil case to appear at deposition and notices of videotape deposition [.6]; prepared draft of and finalized acceptance of service for Mr. Murphy on behalf of Mr. Witt [.2]; prepared draft and finalized acceptance of service on behalf of Mr. Sybrandy [.2]; prepared draft of transmittal letter to Mr. Sybrandy [.3].
1407	06/12/12	Boschen	3.00	\$ 150.00	\$ 450.00	Worked on labeling and tracking several document productions and producing to opposing counsel [1.5]; updated production log [.1]; personal conferences and correspondence regarding document productions [.5]; reviewed subpoenas and notices [.1]; correspondence regarding same [.1]; worked on process serving subpoena duces tecum to Mountain Law PLLC [.4]; researched WSBA rules on confidentiality for grievances and correspondence regarding same [.2]; telephone conference with client [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1408	06/12/12	Marshall	4.60	\$ 375.00	\$ 1,725.00	Worked on reply in support of motion to compel production from Sybrandy [1.5]; researched and analyzed issues regarding same [.7]; telephone conference with co-counsel regarding same [.2]; reviewed documents produced by Mr. Sybrandy and analyzed issues regarding same [.5]; worked on production of documents [.2]; analyzed issues regarding same [.2]; researched and analyzed issues regarding HIPAA application [.2]; worked on revisions to proposed protective order [.2]; reviewed proposed clawback agreement and worked on revisions to same [.2]; email to opposing counsel regarding same [.1]; worked on document production issues [.5]; worked on issues regarding subpoenas to Mr. Witt and Mr. Sybrandy [.1].
1409	06/12/12	Bledsoe	2.50	\$ 120.00	\$ 300.00	Finalize Reply to Sybrandy's Response to Plaintiffs' Motion to Compel (.5); Prepare Zuchetto declaration and gathered and finalized Zuchetto declaration exhibits (2.0).
1410	06/12/12	Bergland	0.80	\$ 190.00	\$ 152.00	Review of and revisions to Reply in Support of Motion to Compel and cite check same.
1411	06/12/12	Zuchetto	6.25	\$ 330.00	\$ 2,062.50	Edit/finalize response re motion to compel Sybrandy (5.5); E-mail Jen/discuss w/ Brianna and co-counsel supplemental discovery production (.75).
1412	06/12/12	Dunne	0.30	\$ 380.00	\$ 114.00	Review and revise draft reply for motion to compel regarding discovery documents
1413	06/12/12	Fisher	0.80	\$ 330.00	\$ 264.00	Call and leave message with J. Murphy regarding inspection of M. Witt's case files; read and edit reply to R. Sybrandy's opposition to motion to compel; call and leave another message with J. Murphy; review document production sent by J. Boschen;
1414	06/13/12	Kinsey	1.50	\$ 100.00	\$ 150.00	Reviewed, revised and finalized Sybrandy and Witt deposition subpoenas and notices [.6]; arranged service [.4]; arranged videographer, court reporter and conference room locations [.5].
1415	06/13/12	Boschen	0.50	\$ 150.00	\$ 75.00	Correspondence and telephone conference regarding deposition [.2]; correspondence regarding court observation, document productions and class member tracking [.3];
1416	06/13/12	Marshall	0.50	\$ 375.00	\$ 187.50	Worked on issues regarding the Cities' electronic searches for documents [.3]; reviewed final draft of stipulated protective order and email correspondence with opposing counsel regarding same [.1]; reviewed final draft of clawback agreement and sent copy of same to opposing counsel [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1417	06/13/12	Zuchetto	1.35	\$ 330.00	\$ 445.50	Discuss Witt/Sybrandy docs and depositions w/ co-counsel and strategy re same (.75); Edit/review subpoena material to Sybrandy re deposition (.3); Review/analyze new S.Ct. standard (.3).
1418	06/13/12	Dunne	0.30	\$ 380.00	\$ 114.00	Email correspondence with co-counsel re discovery issues; email correspondence with co-counsel re WSBA standards and WA court rules
1419	06/13/12	Talner	0.30	\$ 400.00	\$ 120.00	Emails with co-counsel re investigating facts and re new caseload standards
1420	06/13/12	Fisher	3.90	\$ 330.00	\$ 1,287.00	Participate in weekly team call; draft motion to compel M. Witt's compliance with subpoena, proposed order, and declaration;
1421	06/13/12	Roos	0.20	\$ 465.00	\$ 93.00	Telephone conference regarding discovery issues;
1422	06/13/12	Williams	0.50	\$ 580.00	\$ 290.00	Participate in weekly team conference call on strategy; meet with C. Fisher to discuss outline of motion to compel production by Witt;
1423	06/14/12	Boschen	4.00	\$ 150.00	\$ 600.00	Reviewed search terms, compared to hit list, and correspondence regarding same in preparation for conference call with cities regarding same [1.5]; telephone conference regarding search terms [1]; personal conferences and correspondence regarding same [1.3]; researched Microsoft search functionality [1.2]; updated production log [1.1]; continued reviewing document productions [1.9].
1424	06/14/12	Marshall	2.30	\$ 375.00	\$ 862.50	Analyzed issues regarding electronic discovery and prepared for telephone conference with opposing counsel regarding same [1.4]; researched and analyzed issues regarding mootness and effect of policy changes on claims for injunctive relief [1.4]; email correspondence with co-counsel regarding same [1.1]; analyzed issues regarding proposed deposition of Mr. Rogerson and reviewed documents in relation to same [1.2]; prepared for telephone conference with opposing counsel regarding search terms [1.2]; participated in same [1.7]; analyzed issues regarding same [1.3].
1425	06/14/12	Bledsoe	0.65	\$ 120.00	\$ 78.00	Prepare letter to Cooley (.25); Review and finalize letter and deposition notice to Richard Sybrandy (.4).
1426	06/14/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Work on letter to defense counsel re Rogerson deposition.
1427	06/14/12	Fisher	3.70	\$ 330.00	\$ 1,221.00	Complete motion to compel; attend meeting with B. Roos and J. Hong to discuss indemnification issue;
1428	06/14/12	Williams	0.50	\$ 580.00	\$ 290.00	Review Court's Stipulated Protective Order; review exchange of emails on new case law from Texas Supreme Court on right to counsel;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1429	06/15/12	Boschen	6.40	\$ 150.00	\$ 960.00	Continued document review [5.2]; correspondence and telephone conference with Mr. Murphy regarding Mr. Witt's deposition [.2]; researched client case history [.1]; continued researching Windows and Outlook query functions and revising the ESI search term list [.9].
1430	06/15/12	Marshall	1.00	\$ 375.00	\$ 375.00	Reviewed state supreme court order on indigent defense standards [.2]; analyzed issues regarding same [.2]; reviewed production of case files from Sybrandy and analyzed issues regarding same [.6].
1431	06/15/12	Fisher	1.90	\$ 330.00	\$ 627.00	Edit motion to compel M. Witt's compliance with subpoena and declaration; organize and chart all correspondence between J. Murphy and plaintiffs;
1432	06/16/12	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on document management, discovery, and case strategy issues [.3].
1433	06/18/12	Marshall	0.10	\$ 375.00	\$ 37.50	Telephone call from Mr. Gipe regarding extension of deadline to respond to subpoena to Mountain Law [.1].
1434	06/18/12	Talner	1.90	\$ 400.00	\$ 760.00	Review and summarize court files obtained in discovery
1435	06/18/12	Fisher	0.50	\$ 330.00	\$ 165.00	Edit motion to compel M. Witt's compliance with subpoena; review case file information chart from N. Talner;
1436	06/19/12	Boschen	0.40	\$ 150.00	\$ 60.00	Reviewed case file index and correspondence regarding same [.2]; reviewed 2012 contract and correspondence regarding same [.2];
1437	06/19/12	Marshall	0.40	\$ 375.00	\$ 150.00	Analyzed issues regarding municipal court visit [.2]; worked on search term issues for electronic document production [.1]; analyzed issues regarding review of court videos [.1].
1438	06/19/12	Fisher	0.40	\$ 330.00	\$ 132.00	Research special master; compose and send out agenda for tomorrow's call;
1439	06/19/12	Williams	0.50	\$ 580.00	\$ 290.00	Review and exchange emails on motion to compel Witt production of documents;
1440	06/20/12	Boschen	8.70	\$ 150.00	\$ 1,305.00	Travel to and from Burlington for court observation; correspondence regarding same; continued work on revised ESI search term list.
1441	06/20/12	Marshall	2.00	\$ 375.00	\$ 750.00	Prepared for weekly telephone conference with co-counsel regarding discovery and case strategy issues [.1]; participated in same [.4]; analyzed issues regarding Wilbur court hearing and left message with Mr. Wilbur regarding same [.1]; analyzed issues regarding practices of current public defense attorneys [.2]; reviewed document production regarding same [.5]; email correspondence with co-counsel regarding same [.2]; analyzed issues regarding timing of settlement proposal [.3]; email correspondence and telephone conference with co-counsel regarding same [.2].
1442	06/20/12	Bledsoe	0.25	\$ 120.00	\$ 30.00	Draft letter to defense counsel re: Sybrandy Deposition.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1443	06/20/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review letter from Sybrandy re deposition and review letter to def. counsel re same (.5); Team meeting re strategy (.5).
1444	06/20/12	Talner	4.80	\$ 400.00	\$ 1,920.00	Observe Burlington court session, discuss with co-observer, emails with co-counsel re case strategy
1445	06/20/12	Fisher	2.80	\$ 330.00	\$ 924.00	Edit declaration for motion to compel M. Witt's compliance with subpoena; gather exhibits for motion;
1446	06/20/12	Williams	0.20	\$ 580.00	\$ 116.00	Exchange emails on motion to compel Witt production of documents;
1447	06/20/12	Roos	2.60	\$ 465.00	\$ 1,209.00	Review and revise motion to compel; conference regarding same with C. Fisher;
1448	06/21/12	Boschen	5.70	\$ 150.00	\$ 855.00	Continued work on revised ESI search term list and further research regarding same[1.2]; correspondence with opposing regarding same [.1]; continued work on document review [3.3]; updated production log [.1]; personal conference regarding production [.1]; copied and mailed Defendants' production to co-counsel [.5]; worked on OCRing and Bates labeling Defendants' production [.3]; correspondence regarding summary of court observation[.1];
1449	06/21/12	Marshall	1.10	\$ 375.00	\$ 412.50	Telephone conferences and email correspondence with co-counsel regarding settlement strategy [.5]; worked on same [.2]; worked on motion to compel discovery from Witt and proposed order granting sme [.4].
1450	06/21/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Edit motion to compel Witt.
1451	06/21/12	Dunne	0.40	\$ 380.00	\$ 152.00	email correspondence with co-counsel re case strategy; telephone correspondence with co-counsel re settlement
1452	06/21/12	Talner	0.50	\$ 400.00	\$ 200.00	Review draft motion to compel re Witt subpoena, investigate case
1453	06/21/12	Fisher	2.20	\$ 330.00	\$ 726.00	Edit motion to compel; file motion to compel;
1454	06/22/12	Boschen	4.70	\$ 150.00	\$ 705.00	Continued document review [4.7].
1455	06/22/12	Marshall	1.40	\$ 375.00	\$ 525.00	Email correspondence with co-counsel regarding filing of motion to compel [.1]; personal conference with Ms. Boschen regarding observations of new public defense attorneys [.5]; worked on search terms and issues related to electronic discovery requests [.8].
1456	06/25/12	Roos	1.70	\$ 465.00	\$ 790.50	Review summer associate research; review materials relating to J. Aarstad;
1457	06/26/12	Boschen	2.60	\$ 150.00	\$ 390.00	Revised and finalized ESI search terms and worked on troubleshooting Windows syntax for same [2.6].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1458	06/26/12	Marshall	1.20	\$ 375.00	\$ 450.00	Prepared for and participated in telephone conference with Mr. Gipe regarding Mountain Law's response to SDT [.6]; email to Mr. Gipe regarding recently entered protective order [.1]; exchanged messages with Mr. Wilbur regarding status of case [.1]; telephone call from Mr. Wilbur regarding same [.1]; analyzed issues regarding existence of outstanding charges for Mr. Wilbur [.1]; worked on discovery issues [.2].
1459	06/26/12	Bledsoe	1.00	\$ 120.00	\$ 120.00	Draft 2nd Amended Subpeona, depo notice and cover letter.
1460	06/26/12	Zuchetto	0.30	\$ 330.00	\$ 99.00	Prep/edit subpoena material re Sybrandt dep.
1461	06/26/12	Talner	4.20	\$ 400.00	\$ 1,680.00	Travel to and from and observe Mount Vernon court session
1462	06/26/12	Fisher	4.30	\$ 330.00	\$ 1,419.00	Observe Mount Vernon Municipal Court's new public defenders; draft agenda for team meeting;
1463	06/26/12	Williams	0.50	\$ 580.00	\$ 290.00	Review and respond to emails on potential settlement of litigation with Cities;
1464	06/27/12	Boschen	1.10	\$ 150.00	\$ 165.00	Correspondence regarding electronic discovery search terms; weekly case status conference call; personal conferences and correspondence regarding deposition exhibits.
1465	06/27/12	Marshall	2.50	\$ 375.00	\$ 937.50	Prepared for weekly call with co-counsel [.2]; participated in same [1.0]; worked on discovery, document review, and deposition strategy issues [.3]; worked on search terms for electronic discovery requests [.5]; email correspondence with co-counsel and opposing counsel regarding same [.4]; worked on settlement strategy [.1].
1466	06/27/12	Zuchetto	1.10	\$ 330.00	\$ 363.00	Team meeting/call re strategy (.7); Draft settlement letter to defense counsel (.4).
1467	06/27/12	Dunne	0.50	\$ 380.00	\$ 190.00	Conference call with co-counsel re case strategy and discovery
1468	06/27/12	Roos	0.90	\$ 465.00	\$ 418.50	Communications regarding summer associate research project; telephone conference with team regarding settlement and outstanding discovery issues;
1469	06/27/12	Fisher	1.30	\$ 330.00	\$ 429.00	Participate in weekly team call; read memorandum regarding 1983 liability;
1470	06/27/12	Williams	1.00	\$ 580.00	\$ 580.00	Conference call with litigation team on strategy for potential settlement and other issues;
1471	06/28/12	Boschen	0.20	\$ 150.00	\$ 30.00	Finalized and prepared mailing of FRE 408 letter to opposing counsel.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1472	06/28/12	Marshall	1.50	\$ 375.00	\$ 562.50	Worked on analysis of settlement strategy [.6]; worked on letter to opposing counsel regarding invitation to mediation or informal settlement talks [.4]; email correspondence with co-counsel regarding same [.1]; finalized same [.1]; reviewed order compelling Mr. Sybrandy to produce documents and analyzed issues regarding same [.3].
1473	06/28/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review/analyze Court's order re motion to compel (.25); Edit/draft settlement letter (.25).
1474	06/28/12	Dunne	0.40	\$ 380.00	\$ 152.00	Review court order re motion to compel; email correspondence with co-counsel re settlement
1475	06/28/12	Williams	0.50	\$ 580.00	\$ 290.00	Review Court order compelling Sybrandy production;
1476	06/29/12	Boschen	1.10	\$ 150.00	\$ 165.00	Personal conference regarding document production from Mountain Law PLLC; commenced review of same.
1477	06/29/12	Zuchetto	0.20	\$ 330.00	\$ 66.00	E-mail co-counsel re Witt production/motion.
1478	06/29/12	Fisher	0.30	\$ 330.00	\$ 99.00	Email J. Murphy to set a time to discuss order compelling R. Sybrandy's compliance with subpoena;
1479	07/02/12	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding reply in support of motion to compel documents from Mr. Witt [.1]; telephone call from Mr. Wilbur regarding factual background issues [.1].
1480	07/02/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review/analyze Witt's response re Subpoena Duces Tecum/Motion to compel, e-mail co-counsel re same.
1481	07/02/12	Talner	0.90	\$ 400.00	\$ 360.00	Review documents produced in discovery and prepare deposition questions
1482	07/02/12	Fisher	1.50	\$ 330.00	\$ 495.00	Read M. Witt's Response to Plaintiffs' motion to compel compliance with subpoena; draft reply;
1483	07/03/12	Kinsey	0.20	\$ 100.00	\$ 20.00	Reviewed and revised Mountain Law stipulated protective order.
1484	07/03/12	Boschen	3.10	\$ 150.00	\$ 465.00	Worked on labeling and preparing documents for production; burned production to CD and prepared mailing to opposing; drafted letter regarding same; correspondence regarding same; updated production log; uploaded production to FTP and Dropbox.
1485	07/03/12	Marshall	0.60	\$ 375.00	\$ 225.00	Analyzed issues regarding Mr. Wilbur's current situation [.2]; worked on getting stipulated confidentiality order for Mountain Law production [.2]; worked on search term issues [.2].
1486	07/03/12	Zuchetto	0.30	\$ 330.00	\$ 99.00	E-mail co-counsel re proposed protective order language.
1487	07/03/12	Fisher	2.20	\$ 330.00	\$ 726.00	Draft reply to motion to compel M. Witt's compliance with subpoena;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1488	07/03/12	Williams	0.50	\$ 580.00	\$ 290.00	Review email from N. Talner with proposed deposition questions for City Administrators;
1489	07/05/12	Boschen	2.60	\$ 150.00	\$ 390.00	Correspondence regarding hearing transcription and other production issues [.2]; reviewed outstanding document review projects [.2]; telephone call to Mr. Hoff regarding client [.1]; reviewed jail roster and case history regarding client and correspondence regarding same [.2]; continued document review [1.9].
1490	07/05/12	Marshall	0.50	\$ 375.00	\$ 187.50	Telephone call from opposing counsel regarding mediation [.1]; analyzed issues and email correspondence with co-counsel regarding same [.4].
1491	07/05/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Edit reply re Witt motion to compel (.5); E-mail co-counsel re mediation (.25).
1492	07/05/12	Williams	1.00	\$ 580.00	\$ 580.00	Exchange emails with litigation team on proposed mediation; review and edit Reply Brief on Witt Motion to Compel;
1493	07/05/12	Fisher	3.00	\$ 330.00	\$ 990.00	Draft reply to motion to compel;
1494	07/05/12	Roos	2.10	\$ 465.00	\$ 976.50	Draft outline for deposition of J. Aarstad; review summer associate research; communications regarding mediation;
1495	07/06/12	Marshall	1.00	\$ 375.00	\$ 375.00	Telephone conference and email correspondence with co-counsel regarding mediation scheduling and strategy [.4]; left message with opposing counsel regarding mediation scheduling [.1]; worked on selection of mediator and scheduling of mediation [.5].
1496	07/06/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review/edit brief re motion to compel Witt.
1497	07/06/12	Roos	0.80	\$ 465.00	\$ 372.00	Telephone conference regarding settlement; draft letters to third-party witnesses regarding depositions;
1498	07/06/12	Fisher	1.70	\$ 330.00	\$ 561.00	Finalize reply and declaration; participate in team call about mediation and depositions; draft and send A. Cooley letter regarding mediation dates;
1499	07/06/12	Williams	1.00	\$ 580.00	\$ 580.00	Conference call with team on settlement strategy and postponement of discovery; review letters to opposing counsel and third-party witnesses on postponing discovery;
1500	07/09/12	Talner	2.60	\$ 400.00	\$ 1,040.00	Review and summarize court files provided in discovery
1501	07/09/12	Williams	0.50	\$ 580.00	\$ 290.00	Coordinate with opposing counsel and team on mediation data;
1502	07/10/12	Boschen	0.60	\$ 150.00	\$ 90.00	Telephone calls to and conferences with client and his relatives [.4]; correspondence and personal conference regarding mediation costs [.1]; telephone conferences with JAMS regarding mediation scheduling [.1];
1503	07/10/12	Talner	5.30	\$ 400.00	\$ 2,120.00	Review and summarize court files provided in discovery

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1504	07/10/12	Williams	0.50	\$ 580.00	\$ 290.00	Exchange emails on discovery delay and mediation;
1505	07/11/12	Bledsoe	0.25	\$ 120.00	\$ 30.00	Telephone Conference with Jenn Boschen re: Mediation, depos, and discovery productions.
1506	07/11/12	Williams	0.70	\$ 580.00	\$ 406.00	Prepare for and preside over weekly litigation team call; review emails;
1507	07/12/12	Boschen	0.30	\$ 150.00	\$ 45.00	Worked on locating client and calling same [.2]; correspondence regarding production and discovery issues [.1].
1508	07/16/12	Marshall	0.80	\$ 375.00	\$ 300.00	Worked on mediation, discovery, and action item issues and email correspondence with co-counsel regarding same [.5]; analyzed issues regarding Mr. Sybrandy's failure to comply with court order [.1]; telephone conference with co-counsel regarding mediation strategy [.2].
1509	07/16/12	Bledsoe	0.40	\$ 120.00	\$ 48.00	Review and finalize letter to Mr. Sybrandy.
1510	07/16/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Draft letter to Sybrandy re production.
1511	07/16/12	Fisher	0.10	\$ 330.00	\$ 33.00	Reply to T. Marshall's email about mediation questions;
1512	07/16/12	Williams	0.50	\$ 580.00	\$ 290.00	Review email exchange on discovery dispute;
1513	07/17/12	Boschen	2.60	\$ 150.00	\$ 390.00	Worked on reviewing, gathering and disseminating documents in preparation for mediation and correspondence regarding same [2.1]; drafted and finalized letters to clients regarding mediation [.4]; email correspondence with client regarding same [.1];
1514	07/17/12	Marshall	1.40	\$ 375.00	\$ 525.00	Analyzed issues regarding response to proposed protective order for Mountain Law production [.1]; email correspondence with Mr. Gipe regarding same [.1]; analyzed issues regarding notice to clients of mediation and participation in same [.2]; email correspondence with co-counsel regarding same [.1]; worked on letter to clients regarding same [.2]; worked on mediation strategy issues [.1]; worked on review of recently produced documents [.1]; worked on mediation submission [.5].
1515	07/18/12	Kinsey	0.50	\$ 100.00	\$ 50.00	Reviewed mediation materials from WAMS [.1]; prepared draft of plaintiffs' mediation submission to Ms. Keller [.4].
1516	07/18/12	Boschen	0.50	\$ 150.00	\$ 75.00	Telephone calls to Chehalis to locate client and telephone conference with client [.2]; telephone conference with Mr. Cecil [.2]; correspondence regarding same [.1].
1517	07/18/12	Marshall	3.70	\$ 375.00	\$ 1,387.50	Prepared for and participated in weekly conference call with co-counsel, focusing on mediation tasks and strategy [.6]; worked on mediation letter [3.1].
1518	07/18/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Participate in telephonic team meeting

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1519	07/18/12	Fisher	1.70	\$ 330.00	\$ 561.00	Draft agenda for weekly meeting; participate in team call; draft and send letter to A. Cooley regarding new deposition dates; draft letters to D. Svaren, J. Aarstad, C. Cammock regarding new deposition date; read J. Hong memorandum regarding prospective injunction and voluntary cessation;
1520	07/18/12	Williams	1.00	\$ 580.00	\$ 580.00	Attend team conference call on case status; discuss settlement strategy with B. Roos and C. Fisher;
1521	07/19/12	Marshall	2.20	\$ 375.00	\$ 825.00	Worked on mediation submission and related issues [2.2].
1522	07/19/12	Talner	0.20	\$ 400.00	\$ 80.00	Email co-counsel re witness release, follow-up re obtaining court files
1523	07/19/12	Fisher	1.30	\$ 330.00	\$ 429.00	Draft letter to A. Cooley regarding depositions and respond to his email about his unavailability; speak with T. Marshall about M. Witt and R. Sybrandy depositions; discuss deposition dates with J. Williams and B. Roos; review draft settlement agreement;
1524	07/19/12	Roos	2.10	\$ 465.00	\$ 976.50	Draft settlement agreement; communications regarding deposition scheduling;
1525	07/20/12	Boschen	0.90	\$ 150.00	\$ 135.00	Drafted, finalized, mailed, emailed and filed letter to Mr. Murphy regarding Witt deposition [.3]; worked on reviewing and pulling documents for mediation and correspondence regarding same [.6];
1526	07/20/12	Marshall	4.30	\$ 375.00	\$ 1,612.50	Worked on mediation submission and researched and analyzed issues for same [4.1]; email correspondence with co-counsel regarding fees and costs issues [.2].
1527	07/20/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review/sign letter re Sybrandy dep.
1528	07/20/12	Williams	1.50	\$ 580.00	\$ 870.00	Review and edit proposed class action settlement agreement language;
1529	07/21/12	Marshall	3.50	\$ 375.00	\$ 1,312.50	Worked on mediation submission and researched and analyzed issues for same [3.5].
1530	07/22/12	Marshall	6.00	\$ 375.00	\$ 2,250.00	Worked on mediation submission and researched and analyzed issues regarding same [6.0].
1531	07/22/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Research re mootness doctrine.
1532	07/23/12	Marshall	3.40	\$ 375.00	\$ 1,275.00	Worked on plaintiffs' mediation submission [1.5]; email correspondence with and telephone conferences with co-counsel regarding same [.7]; worked on fee and cost calculations in advance of mediation [1.0]; telephone call from Mr. Cooley regarding mediation discussions and stay of discovery [.1]; email correspondence with co-counsel regarding same [.1].
1533	07/23/12	Zuchetto	0.30	\$ 330.00	\$ 99.00	Review/edit mediation letter.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1534	07/23/12	Fisher	0.80	\$ 330.00	\$ 264.00	Coordinate deposition dates; draft letter to A. Cooley proposing new deposition dates; read mediation statement and make comments;
1535	07/23/12	Roos	1.80	\$ 465.00	\$ 837.00	Review and revise mediation statement; revise draft settlement agreement;
1536	07/24/12	Kinsey	0.30	\$ 100.00	\$ 30.00	Reviewed, revised and finalized plaintiffs' mediation submission letter to Ms. Keller.
1537	07/24/12	Boschen	7.10	\$ 150.00	\$ 1,065.00	Worked on mediation statement exhibits and cites; correspondence and personal conferences regarding same; telephone conference with mediator regarding same; prepared documents for attorney's notebook for same; prepared mediators' notebook and ABC form.
1538	07/24/12	Marshall	1.90	\$ 375.00	\$ 712.50	Worked on mediation submission [1.4]; telephone conferences with co-counsel regarding mediation strategy [5].
1539	07/24/12	Dunne	0.40	\$ 380.00	\$ 152.00	Conference call with co-counsel re case strategy and settlement
1540	07/24/12	Roos	0.50	\$ 465.00	\$ 232.50	Review mediation statement;
1541	07/25/12	Boschen	0.10	\$ 150.00	\$ 15.00	Messengered mediator's notebook [1].
1542	07/25/12	Marshall	3.00	\$ 375.00	\$ 1,125.00	Analyzed issues regarding mediation submissions and email to opposing counsel regarding same [1]; researched and analyzed issues regarding ability to recover fees as prevailing party after obtaining court-approved class settlement [1.6]; email to co-counsel regarding same [2]; researched and analyzed issues regarding burden of proof on mootness assertion and municipal liability standards [6]; worked on mediation strategy [4]; telephone call from Mr. Wilbur regarding mediation [1].
1543	07/25/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Prepare for mediation and research re fees.
1544	07/25/12	Dunne	0.30	\$ 380.00	\$ 114.00	Email correspondence with co-counsel re settlement and upcoming mediation
1545	07/25/12	Fisher	2.20	\$ 330.00	\$ 726.00	Read and reply to emails; participate in meeting with E. Mendoza and B. Roos to discuss attorneys' fees; read mediation statement and settlement agreement in anticipation of mediation preparation;
1546	07/25/12	Roos	0.60	\$ 465.00	\$ 279.00	Conference with summer associate regarding recovery of attorneys' fees research;
1547	07/25/12	Williams	1.00	\$ 580.00	\$ 580.00	Review and exchange emails on settlement of case;
1548	07/26/12	Boschen	0.10	\$ 150.00	\$ 15.00	Worked on mediation preparation [1];

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1549	07/26/12	Marshall	1.30	\$ 375.00	\$ 487.50	Exchanged messages with Ms. Montague regarding mediation [.1]; researched and analyzed issues regarding requirements for obtaining prevailing party status where settlement is reached [.8]; drafted memorandum to co-counsel regarding same [.4].
1550	07/26/12	Marshall	7.40	\$ 375.00	\$ 2,775.00	Prepared for mediation and reviewed various materials [2.4]; meetings with co-counsel in preparation for mediation [4.0]; worked on mediation arguments [1.0].
1551	07/26/12	Bergland	0.20	\$ 190.00	\$ 38.00	Preparation of report re: hours and fees to date in case; e-mail to Zuchetto re same.
1552	07/26/12	Zuchetto	8.00	\$ 330.00	\$ 2,640.00	Travel to Seattle re mediation (4.5); preparation for same (1.5); team meeting re same (2.0)..
1553	07/26/12	Dunne	1.80	\$ 380.00	\$ 684.00	Preparation for mediation
1554	07/26/12	Williams	3.50	\$ 580.00	\$ 2,030.00	Review and analyze plaintiffs' mediation statement in preparation for mediation strategy session with litigation team; meet with D. Burman to discuss settlement strategy; meet with litigation team to discuss media strategy; review materials in preparation for mediation;
1555	07/26/12	Fisher	1.50	\$ 330.00	\$ 495.00	Participate in mediation preparation;
1556	07/27/12	Marshall	9.40	\$ 375.00	\$ 3,525.00	Prepared for, traveled to, and participated in mediation [9.4].
1557	07/27/12	Zuchetto	8.00	\$ 330.00	\$ 2,640.00	Attend/participate in mediation.
1558	07/27/12	Dunne	7.50	\$ 380.00	\$ 2,850.00	Attend mediation
1559	07/27/12	Williams	7.80	\$ 580.00	\$ 4,524.00	Prepare for and attend mediation of case with Margo Keller of WAMS;
1560	07/30/12	Kinsey	0.40	\$ 100.00	\$ 40.00	Finalized notice of occurrence of alternative dispute resolution [.1]; prepared certificate of service [.1]; arranged filing and service [.1]; email correspondence to mediator transmitting copy [.1].
1561	07/30/12	Marshall	1.80	\$ 375.00	\$ 675.00	Worked on action item list [.1]; telephone call from mediator [.1]; analyzed issues regarding mediation [.4]; telephone call from co-counsel regarding letter to opposing counsel on mediation [.2]; worked on same [.6]; worked on deposition scheduling issues [.2]; analyzed issues regarding proposed protective order for Mountain Law [.1]; left message with and email to Mr. Gipe regarding same [.1].
1562	07/30/12	Bledsoe	1.50	\$ 120.00	\$ 180.00	Draft letter to Mr. Sybrandy re: Deposition date (.5); Revise and finalize Deposition Notice for Mr. Sybrandy, and Subpoena for Zuchetto's review (1.0)
1563	07/30/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Work on letter to R. Sybrandy, deposition notice and subpoena.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1564	07/30/12	Fisher	0.80	\$ 330.00	\$ 264.00	Draft second letter to A. Cooley regarding rescheduling of depositions; speak with T. Marshall and M. Zuchetto about deposition dates and times for R. Sybrandy and M. Witt;
1565	07/30/12	Williams	0.80	\$ 580.00	\$ 464.00	Review letter to A. Cooley on depositions and expert reports; meet with B. Roos and C. Fisher to discuss action items and outline of examination for municipal court judges; review and exchange emails on case status with L. Medway;
1566	07/30/12	Roos	0.20	\$ 465.00	\$ 93.00	Conference with J. Williams and C. Fisher regarding discovery;
1567	07/31/12	Boschen	0.30	\$ 150.00	\$ 45.00	Commenced drafting second amended subpoena, notice and acceptance of service for Morgan Witt deposition [.2]; telephone conference and correspondence regarding same [.1];
1568	07/31/12	Marshall	3.20	\$ 375.00	\$ 1,200.00	Worked on letter to opposing counsel regarding mediation discussions [1.7]; email correspondence and telephone conference with co-counsel regarding same [.2]; worked on discovery and case strategy issues [.9]; email correspondence and telephone conference with opposing counsel regarding search terms and electronic discovery production [.4].
1569	07/31/12	Zuchetto	1.20	\$ 330.00	\$ 396.00	Edit/revise letter to def. counsel re settlement, discuss same w/ co-counsel.
1570	07/31/12	Williams	0.50	\$ 580.00	\$ 290.00	Review and approve settlement demand letter to Cities;
1571	07/31/12	Fisher	0.50	\$ 330.00	\$ 165.00	Draft and send proposed meeting agenda for weekly call; read order requiring M. Witt's production of documents; read and edit settlement letter; read email regarding update on electronic discovery;
1572	08/01/12	Boschen	3.60	\$ 150.00	\$ 540.00	Telephone conferences with client [.2]; finalized FRE 408 letter and prepared for mailing [.3]; finalized and prepared for mailing second amended subpoena and notice for Morgan Witt deposition [.4]; worked on document review and correspondence regarding same [.6]; personal conference and correspondence regarding Sybrandy response to SDT [.3]; researched Sybrandy time management software and tested demo of same [1.4]; Bates labeled and OCRd Sybrandy supplemental production [.2]; correspondence regarding same [.1]; updated production log [.1];

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1573	08/01/12	Marshall	2.70	\$ 375.00	\$ 1,012.50	Email correspondence with co-counsel regarding status of Mountain Law document production and cancellation of team meeting [.1]; reviewed document production from Sybrandy and analyzed issues regarding same [.5]; revised letter to opposing counsel regarding additional mediation discussions [.3]; worked on settlement and case strategy issues [1.0]; worked on discovery issues and strategy for obtaining court-ordered documents from Mr. Sybrandy [.8].
1574	08/01/12	Zuchetto	5.75	\$ 330.00	\$ 1,897.50	Review Sybrandy e-mail re response to Court Order/Subpoena, review same, review materials provided (2.5); Work on letter to Sybrandy (1.75); Discuss same w/ co-counsel (.5); Edit/revise settlement letter (.75); Discuss same w/ co-counsel (.25).
1575	08/01/12	Talner	0.40	\$ 400.00	\$ 160.00	Review supplemental production from Sybrandy and email co-counsel about it
1576	08/01/12	Williams	0.20	\$ 580.00	\$ 116.00	Exchange emails with team on settlement demand letter;
1577	08/02/12	Boschen	0.20	\$ 150.00	\$ 30.00	Worked on arrangements for Morgan Witt deposition [.1]; correspondence regarding document productions [.1].
1578	08/02/12	Zuchetto	1.25	\$ 330.00	\$ 412.50	Work on letter to Richard Sybrandy re Court's Order.
1579	08/02/12	Fisher	0.10	\$ 330.00	\$ 33.00	Schedule depositions;
1580	08/03/12	Boschen	0.30	\$ 150.00	\$ 45.00	Downloaded production and correspondence regarding same and updated production log [.3].
1581	08/03/12	Bergland	0.20	\$ 190.00	\$ 38.00	Office conference with Zuchetto re: file review and review of spreadsheet provided by co-counsel.
1582	08/03/12	Roos	1.10	\$ 465.00	\$ 511.50	Preparation for deposition of S. Skelton;
1583	08/05/12	Dunne	0.30	\$ 380.00	\$ 114.00	Review and revise deposition outline for J. Skelton
1584	08/05/12	Roos	3.60	\$ 465.00	\$ 1,674.00	Prepare for deposition of S. Skelton;
1585	08/06/12	Marshall	0.80	\$ 375.00	\$ 300.00	Worked on outline for deposition of Judge Skelton [.8].
1586	08/06/12	Bledsoe	1.00	\$ 120.00	\$ 120.00	Process, review and save all Sybrandy PDF e-mails to the Server.
1587	08/06/12	Zuchetto	2.25	\$ 330.00	\$ 742.50	Review e-mails from Sybrandy (.8); e-mail co-counsel re same (.2); Review e-mails/docs. from R. Sybrandy (1.25).
1588	08/06/12	Roos	5.20	\$ 465.00	\$ 2,418.00	Prepare for and attend deposition of S. Skelton; conference regarding same;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1589	08/07/12	Boschen	0.90	\$ 150.00	\$ 135.00	Personal conferences and correspondence regarding production estimate [.3]; downloaded Sybrandy supplemental production and correspondence regarding same [.3]; updated production log [.1]; telephone calls to, conference with and correspondence with Mr. Murphy regarding deposition of Morgan Witt [.2].
1590	08/07/12	Marshall	1.60	\$ 375.00	\$ 600.00	Telephone call from Mr. Cooley regarding settlement negotiations [.3]; telephone conference and email correspondence with co-counsel regarding same [.5]; researched and analyzed issues regarding same [.8].
1591	08/07/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Team strategy call, f/u w/ co-counsel re settlement parameters.
1592	08/07/12	Williams	1.00	\$ 580.00	\$ 580.00	Review and exchange email string on Cooley proposed settlement discussions;
1593	08/07/12	Roos	0.20	\$ 465.00	\$ 93.00	Communications regarding settlement proposal;
1594	08/08/12	Boschen	1.80	\$ 150.00	\$ 270.00	Reviewed outline for conference call [.1]; conference call regarding case status [.5]; worked on brainstorming complaint and oversight options for settlement negotiations and personal conferences and correspondence regarding same [1.2].
1595	08/08/12	Marshall	5.60	\$ 375.00	\$ 2,100.00	Team call regarding settlement negotiations and strategy for responding comments of opposing counsel [.5]; researched and analyzed issues regarding same [2.8]; drafted letter to opposing counsel regarding settlement proposal [2.3].
1596	08/08/12	Zuchetto	0.85	\$ 330.00	\$ 280.50	E-mail co-counsel re motion to compel Witt (.1); Discuss settlement w/ co-counsel (.75).
1597	08/08/12	Talner	1.50	\$ 400.00	\$ 600.00	Conference call with co-counsel to discuss case strategy; research re public defense complaint processes
1598	08/08/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re discovery issues and document production
1599	08/08/12	Roos	0.50	\$ 465.00	\$ 232.50	Telephone conference regarding settlement options and discovery;
1600	08/09/12	Kinsey	0.40	\$ 100.00	\$ 40.00	Prepared draft of, reviewed and revised letter to Mr. Cooley regarding proposed settlement terms.
1601	08/09/12	Boschen	0.70	\$ 150.00	\$ 105.00	Personal conference regarding settlement negotiations [.1]; reviewed settlement correspondence and provided feedback on same [.4]; personal conference and correspondence regarding same [.2].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1602	08/09/12	Marshall	2.50	\$ 375.00	\$ 937.50	Telephone calls from co-counsel regarding settlement proposal issues [.7]; worked on revisions to settlement letter to opposing counsel [.9]; researched and analyzed issues regarding same [.4]; worked on document management issues [.2]; analyzed issues regarding deposition of Judge Skelton [.3].
1603	08/09/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review settlement letter and e-mail co-counsel re same.
1604	08/09/12	Dunne	0.30	\$ 380.00	\$ 114.00	Review letter re settlement; email correspondence with co-counsel re same
1605	08/09/12	Talner	0.50	\$ 400.00	\$ 200.00	Discussions with co-counsel about settlement offer
1606	08/09/12	Fisher	0.30	\$ 330.00	\$ 99.00	Read and edit second settlement offer letter to A. Cooley;
1607	08/09/12	Williams	0.50	\$ 580.00	\$ 290.00	Review and approve of Class proposed settlement offer letter;
1608	08/10/12	Marshall	0.50	\$ 375.00	\$ 187.50	Worked on settlement strategy issues [.3]; analyzed issues regarding Sybrandy's failure to produce documents [.2].
1609	08/13/12	Marshall	0.40	\$ 375.00	\$ 150.00	Email to opposing counsel regarding settlement issues [.1]; worked on same [.1]; worked on discovery issues [.2].
1610	08/13/12	Zuchetto	2.25	\$ 330.00	\$ 742.50	Review Sybrandy e-mail re docs. provided (1.25); Prepare response re same (.75); Review settlement e-mail and discuss same w/ co-counsel (.25).
1611	08/13/12	Fisher	0.20	\$ 330.00	\$ 66.00	Read emails regarding R. Sybrandy's production in response to motion to compel; discuss deposition preparation with B. Roos; send email to T. Marshall and M. Zechetto inquiring about deposition preparation and email production progress;
1612	08/13/12	Williams	0.20	\$ 580.00	\$ 116.00	Review email to Cooley on failed settlement negotiations;
1613	08/14/12	Boschen	1.80	\$ 150.00	\$ 270.00	Correspondence with, telephone call to and conferences with vendor regarding electronic discovery [.6]; researched Mr. Sybrandy's version of Timeslips and telephone conference with Sage regarding same [.4]; reviewed ESI project estimate [.2]; personal conferences and summarized same [.3]; copied production for vendor [.2]; researched current Burlington City Administrator and correspondence regarding same [.1];
1614	08/14/12	Marshall	0.80	\$ 375.00	\$ 300.00	Email correspondence with opposing counsel and co-counsel regarding status of Burlington emails [.2]; email correspondence with Mr. Gipe regarding status of protective order [.1]; analyzed issues regarding deduplication of Cities' production of emails [.3]; worked on case strategy issues [.2].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1615	08/14/12	Fisher	0.40	\$ 330.00	\$ 132.00	Read emails from T. Marshall regarding depositions and email productions and discuss with B. Roos; research when we have to file a motion or stipulated order to extend expert report deadline; email T. Marshall and M. Zuchetto about expert report deadline; send out agenda for tomorrow's meeting;
1616	08/14/12	Williams	0.20	\$ 580.00	\$ 116.00	Review email exchanges on settlement discussions;
1617	08/15/12	Boschen	5.10	\$ 150.00	\$ 765.00	Conference call regarding case status; demoed Clearwell email review application; Bates labeled and produced Sybrandy supplemental productions; updated production log; personal conferences and correspondence regarding management of electronic discovery and associated costs; reviewed documents;
1618	08/15/12	Marshall	1.50	\$ 375.00	\$ 562.50	Telephone conference and email correspondence with co-counsel regarding various case strategy and discovery issues [.6]; worked on same [.3]; telephone conference with Mr. Gipe regarding status of proposed stipulated protective order for Mountain Law production [.1]; email correspondence with opposing counsel regarding same [.1]; worked on issues regarding de-duplication and review of email production from cities [.4].
1619	08/15/12	Bledsoe	0.10	\$ 120.00	\$ 12.00	Conference with Zuchetto re files received from TMDW.
1620	08/15/12	Bergland	1.25	\$ 190.00	\$ 237.50	Office conference with Zuchetto re e-mail production and need for removal of duplicates (.2); import e-mails into Outlook (.25); research re: duplicate removal, download and review script (.8).
1621	08/15/12	Zuchetto	2.00	\$ 330.00	\$ 660.00	Team meeting re litigation strategy (.5); Review cities' e-mail production and work on process to de-dupe. (1.5).
1622	08/15/12	Roos	1.00	\$ 465.00	\$ 465.00	Conference with team regarding discovery issues;
1623	08/15/12	Fisher	2.50	\$ 330.00	\$ 825.00	Read email regarding R. Sybrandy's production in response to motion to compel compliance with subpoena; participate in weekly team call; draft letter to J. Murphy regarding order to compel production; draft letter to A. Rosenberg and B. Augenthaler regarding J. Aarstad and B. Harrison depositions and extension of expert report deadline;
1624	08/15/12	Williams	0.20	\$ 580.00	\$ 116.00	Review and approve of letters to defense counsel on depositions;
1625	08/16/12	Boschen	0.40	\$ 150.00	\$ 60.00	Reviewed ESI catalogue and correspondence regarding same [.1]; corrected acceptance of service and correspondence regarding same [.1]; personal conferences and correspondence regarding email production [.2];

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1626	08/16/12	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on plan for effectively reviewing email documents produced by Mount Vernon and telephone conference with co-counsel regarding same [.4].
1627	08/16/12	Bergland	1.00	\$ 190.00	\$ 190.00	Office conference with Zuchetto re: de-duping e-mails and saving same as PDFs (.25); Review of capabilities of Outlook re same (.75).
1628	08/16/12	Zuchetto	5.00	\$ 330.00	\$ 1,650.00	Review Mt. Vernon e-mail production and work on de-duping and deleting irrelevant (4.5); Discuss same w/ co-counsel (.5).
1629	08/17/12	Boschen	1.10	\$ 150.00	\$ 165.00	Telephone conference and correspondence regarding email production [.3]; researched OLM to PST converters [.1]; telephone conferences with client about outstanding charges [.3]; worked on scheduling depositions and personal conferences and correspondence regarding same [.4].
1630	08/17/12	Webster	2.50	\$ 80.00	\$ 200.00	Attempt to delete duplicates of e-mails and resend as usable files.
1631	08/17/12	Zuchetto	6.25	\$ 330.00	\$ 2,062.50	Work on de-duping project re Mt. Vernon e-mails (6.0); Respond to co-counsel re Sybrandy deposition (.25).
1632	08/17/12	Fisher	0.70	\$ 330.00	\$ 231.00	Email T. Marshall and M. Zuchetto about depositions and email production; figure out deposition scheduling;
1633	08/20/12	Boschen	0.20	\$ 150.00	\$ 30.00	Correspondence and telephone conference regarding email production and processing [.2].
1634	08/20/12	Marshall	1.10	\$ 375.00	\$ 412.50	Email correspondence with opposing counsel regarding status of Burlington email production [.2]; worked on discovery, document management, and deposition issues, especially issues related to deduplication of emails from Mount Vernon [.4]; telephone conference with co-counsel regarding same [.2]; analyzed issues regarding extension of expert disclosure deadline and discovery cutoff for expert depositions and email correspondence with co-counsel regarding same [.2]; email to Mr. Gipe regarding status of protective order for Mountain Law documents [.1].
1635	08/20/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Discuss Mt. Vernon e-mail production w/ co-counsel/de-duping process.
1636	08/20/12	Dunne	0.20	\$ 380.10	\$ 76.02	Email correspondence with co-counsel re case strategy and case deadlines
1637	08/20/12	Fisher	1.80	\$ 330.00	\$ 594.00	Draft motion to modify expert report deadline;
1638	08/20/12	Williams	0.50	\$ 580.00	\$ 290.00	Review emails on discovery issues and change of deposition dates; approve letter to Cities on same;
1639	08/21/12	Boschen	0.20	\$ 150.00	\$ 30.00	Worked on deposition scheduling and correspondence regarding same [.2].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1640	08/21/12	Marshall	0.80	\$ 375.00	\$ 300.00	Email correspondence with opposing counsel and co-counsel regarding discovery issues [.1]; worked on same [.3]; telephone conference with opposing counsel regarding same [.1]; worked on case strategy issues [.1]; finalized stipulated protective order for Mountain Law documents [.2].
1641	08/21/12	Talner	0.80	\$ 400.00	\$ 320.00	Email and telephone call with consulting expert re evidence in our case
1642	08/21/12	Fisher	3.80	\$ 330.00	\$ 1,254.00	Draft and send letter to A. Rosenberg and B. Augenthaler regarding intent to file motion to modify; draft motion to modify dates;
1643	08/22/12	Kinsey	0.30	\$ 100.00	\$ 30.00	Reviewed, revised and finalized proposed stipulated protective order regarding Mountain Law subpoena [.2]; email correspondence to Judge's chambers regarding same [.1].
1644	08/22/12	Boschen	1.90	\$ 150.00	\$ 285.00	Correspondence and telephone conference with vendor regarding email production; conference call regarding case status; correspondence regarding jail visitation; correspondence with court reporter regarding deposition schedule.
1645	08/22/12	Marshall	2.00	\$ 375.00	\$ 750.00	Worked on filing of stipulated protective order for Mountain Law documents and analyzed issues regarding deadline for filing of amended pleadings [.1]; prepared for and participated in conference call with co-counsel regarding discovery and case strategy issues [.9]; telephone conference with co-counsel regarding strategy for defeating mootness argument [.6]; worked on same [.3]; worked on stipulated motion to extend disclosure and discovery deadlines [.1].
1646	08/22/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Participate in team litigation call (.8); Discuss alternate theory of liability w/ Marshall (.2).
1647	08/22/12	Talner	1.50	\$ 400.00	\$ 600.00	Conference call with co-counsel re case strategy; investigation re potential additional witnesses
1648	08/22/12	Roos	2.40	\$ 465.00	\$ 1,116.00	Conference regarding discovery; communications regarding same; prepare for deposition of C. Cammock;
1649	08/22/12	Fisher	1.30	\$ 330.00	\$ 429.00	Draft agenda for weekly meeting; participate in meeting; draft stipulated motion to modify scheduling order; send order to opposing counsel for comments;
1650	08/22/12	Williams	0.40	\$ 580.00	\$ 232.00	Review proposed Mountain Law Group protective order; prepare for team conference call on status of litigation;
1651	08/23/12	Haynes	1.10	\$ 190.00	\$ 209.00	Researched and analyzed issues in preparation for jail visit [1.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1652	08/23/12	Boschen	9.30	\$ 150.00	\$ 1,395.00	Personal and telephone conferences regarding jail visitation [1.4]; telephone conference with ESI vendor regarding email production [.2]; worked on document review [7.7].
1653	08/23/12	Marshall	0.80	\$ 375.00	\$ 300.00	Worked on preparation for jailhouse interviews and strategy for same [.8].
1654	08/23/12	Talner	0.60	\$ 400.00	\$ 240.00	Discuss investigation of potential witnesses with co-counsel
1655	08/23/12	Fisher	0.80	\$ 330.00	\$ 264.00	Draft proposed order; edit motion in light of opposing counsel's comments;
1656	08/24/12	Boschen	6.00	\$ 150.00	\$ 900.00	Continued work on document review; software training with vendor; telephone conference and correspondence regarding same.
1657	08/24/12	Marshall	0.10	\$ 375.00	\$ 37.50	Email correspondence with co-counsel regarding case strategy issues and opposing counsel regarding document production [.1].
1658	08/24/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re discovery issues and expert deadlines
1659	08/24/12	Fisher	1.30	\$ 330.00	\$ 429.00	Revise stipulated motion and send to opposing counsel; file motion and order;
1660	08/27/12	Haynes	3.80	\$ 190.00	\$ 722.00	Researched and analyzed issues in preparation for jail visits [3.8].
1661	08/27/12	Boschen	4.10	\$ 150.00	\$ 615.00	Personal conference regarding electronic discovery; Bates labeled production; updated production log; prepared and revised forms for jail visit; reviewed jail roster and revised index; personal conferences regarding same; worked on document review.
1662	08/27/12	Marshall	0.60	\$ 375.00	\$ 225.00	Analyzed issues regarding witness interviews [.2]; reviewed stipulated protective order entered by court, transmitted same to Mr. Gipe, and requested deadline for production [.1]; worked on issues regarding Mr. Sybrandy's production of documents and data [.3].
1663	08/27/12	Williams	0.50	\$ 580.00	\$ 290.00	Coordinate on re-schedule of City representative depositions;
1664	08/28/12	Haynes	9.30	\$ 190.00	\$ 1,767.00	Conducted interviews at Skagit County Jail and traveled to and from same [9.3].
1665	08/28/12	Boschen	9.50	\$ 150.00	\$ 1,425.00	Travel to and from Mount Vernon for witness interviews at Skagit County Jail and data extraction from Mr. Sybrandy's time reporting system [9.5].
1666	08/28/12	Marshall	0.90	\$ 375.00	\$ 337.50	Email correspondence with opposing counsel regarding status of production of Burlington emails [.1]; researched and analyzed issues regarding Defendants' ability to present evidence generated and gathered after the close of discovery [.2]; reviewed settlement counteroffer from defendants and analyzed issues regarding same [.2]; analyzed issues regarding witness interviews and collection of documents and data from Mr. Sybrandy [.4].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1667	08/28/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review defense counsel response re Burlington e-mail production and e-mail co-counsel re same (.5); Review e-mail from JB re Sybrandy material and respond to same (.25); Review/analyze Defendants' settlement offer and e-mail co-counsel re same (.25).
1668	08/28/12	Talner	7.50	\$ 400.00	\$ 3,000.00	Travel to and interview potential witnesses
1669	08/28/12	Fisher	0.90	\$ 330.00	\$ 297.00	Schedule depositions; read information regarding Burlington email production; email W. Honea to schedule S. Svaren's deposition;
1670	08/28/12	Williams	0.50	\$ 580.00	\$ 290.00	Meet with C. Fisher to discuss rescheduling of depositions;
1671	08/29/12	Boschen	0.90	\$ 150.00	\$ 135.00	Telephone conference regarding case status; correspondence regarding deposition scheduling and Burlington email production.
1672	08/29/12	Marshall	2.20	\$ 375.00	\$ 825.00	Telephone conferences with co-counsel regarding settlement, discovery, and case strategy issues [.3]; prepared for and participated in weekly team call [.7]; telephone conference and email correspondence with opposing counsel regarding email production issues [.3]; worked on same and other discovery issues [.6]; worked on settlement issues [.3].
1673	08/29/12	Zuchetto	1.25	\$ 330.00	\$ 412.50	Team litigation strategy call (.8); Followup re same w/ co-counsel (.2); Review proposed withdrawal of stipulation and e-mail/call co-counsel re same (.25).
1674	08/29/12	Talner	0.50	\$ 400.00	\$ 200.00	Conference call with co-counsel to discuss case strategy
1675	08/29/12	Dunne	0.40	\$ 380.00	\$ 152.00	Email correspondence with opposing counsel and co-counsel re case deadlines; review notice to withdraw stipulated motion re case deadlines
1676	08/29/12	Roos	0.90	\$ 465.00	\$ 418.50	Telephone conference with team regarding discovery; communications regarding deposition scheduling and expert disclosures;
1677	08/29/12	Fisher	1.70	\$ 330.00	\$ 561.00	Participate in weekly team meeting; send letter to C. Cammock regarding rescheduling deposition; draft letter to opposing counsel regarding deposition schedule; draft and file withdrawal of stipulated motion to modify;
1678	08/29/12	Williams	1.00	\$ 580.00	\$ 580.00	Conference call with Judge Lasnik's chambers on adjustment of trial and related dates; prepare for and participate in team strategy call; exchange emails with Cooley on trial date extension;
1679	08/30/12	Fisher	0.10	\$ 330.00	\$ 33.00	Speak with W. Honea about scheduling S. Svaren's deposition;
1680	08/31/12	Boschen	0.90	\$ 150.00	\$ 135.00	Telephone conference regarding expert reports; worked on preparing exhibits for experts and correspondence regarding same; reviewed documents.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1681	08/31/12	Marshall	0.70	\$ 375.00	\$ 262.50	Analyzed issues regarding expert disclosures [.2]; worked on discovery issues [.4]; email correspondence with Mr. Gipe regarding status of Mountain Law production [.1].
1682	08/31/12	Dunne	0.30	\$ 380.00	\$ 114.00	Correspondence with J. Strait re supplemental declaration
1683	08/31/12	Fisher	1.10	\$ 330.00	\$ 363.00	Participate in call to discuss expert report deadline; discuss deposition dates with A. Cooley;
1684	08/31/12	Williams	0.70	\$ 580.00	\$ 406.00	Exchange emails with C. Fisher and B. Roos on expert reports and scheduling of depositions;
1685	09/04/12	Boschen	0.20	\$ 150.00	\$ 30.00	Personal conference and correspondence regarding third party production [.2].
1686	09/04/12	Marshall	0.50	\$ 375.00	\$ 187.50	Worked on expert issues [.5].
1687	09/04/12	Dunne	0.40	\$ 380.00	\$ 152.00	Correspondence with J. Strait re supplemental declaration
1688	09/05/12	Haynes	0.60	\$ 190.00	\$ 114.00	Email correspondence regarding jail visits [.6].
1689	09/05/12	Boschen	4.60	\$ 150.00	\$ 690.00	Worked on downloading productions from FTP; correspondence regarding same; worked on uploading productions; telephone conference regarding case status; updated production log; worked on document review; personal conference and correspondence regarding jail visits.
1690	09/05/12	Marshall	2.30	\$ 375.00	\$ 862.50	Prepared for and participated in weekly team meeting [.9]; reviewed documents produced by Mountain Law and analyzed issues regarding same [.4]; worked on second SDT to Mountain Law [.4]; worked on witness interview issues [.1]; worked on discovery and expert issues [.3]; analyzed issues regarding evidence to use at trial [.2].
1691	09/05/12	Zuchetto	0.95	\$ 330.00	\$ 313.50	Participate in team litigation strategy call (.7); Review expert declarations. re supplement and discuss same w/ co-counsel (.25).
1692	09/05/12	Dunne	0.60	\$ 380.00	\$ 228.00	Correspondence with J. Strait re supplemental declaration
1693	09/05/12	Fisher	4.60	\$ 330.00	\$ 1,518.00	Read emails regarding Burlington email production; participate in team meeting; coordinate and email opposing counsel plaintiffs' second supplemental expert disclosures
1694	09/05/12	Roos	1.20	\$ 465.00	\$ 558.00	Telephone conference with team regarding discovery; draft deposition notice to Cities; communications regarding expert disclosures; review same;
1695	09/06/12	Boschen	2.10	\$ 150.00	\$ 315.00	Correspondence regarding deposition scheduling and expert productions; updated production log; researched public defender contact information; commenced preparation of subpoena duces tecum to Mountain Law; personal conferences and correspondence regarding same.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1696	09/06/12	Marshall	1.00	\$ 375.00	\$ 375.00	Worked on second subpoena duces tecum to Mountain Law and researched and analyzed issues regarding same [.6]; analyzed issues regarding Rule 30(b)(6) deps [.1]; analyzed issues regarding email production from cities [.1]; reviewed defendants' motion to extend trial date and analyzed issues regarding same [.2].
1697	09/06/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Review/edit Subpoena Duces Tecum to Mountain Law (.5); Review/analyze motion for continuance (.25).
1698	09/06/12	Roos	0.90	\$ 465.00	\$ 418.50	Draft deposition notice for City of Burlington; review motion to continue trial date;
1699	09/06/12	Williams	0.50	\$ 580.00	\$ 290.00	Review draft 30(b)(6) deposition notice and provide comments;
1700	09/07/12	Marshall	1.70	\$ 375.00	\$ 637.50	Analyzed issues regarding response to defendants' motion to extend trial date [.2]; drafted memorandum to co-counsel regarding same [.6]; worked on subpoena duces tecum to Mountain Law [.6]; worked on case strategy issues [.3].
1701	09/07/12	Zuchetto	1.75	\$ 330.00	\$ 577.50	Review declaration re Bewick and e-mail team re same (.5); Work on Subpoenas Duces Tecum re phone records (1.0); e-mail team re strategy (.25).
1702	09/07/12	Dunne	0.30	\$ 380.00	\$ 114.00	Review draft document request to Mountain Law
1703	09/07/12	Fisher	0.70	\$ 330.00	\$ 231.00	Draft and send letter to A. Cooley regarding depositions;
1704	09/07/12	Williams	0.30	\$ 580.00	\$ 174.00	Coordinate with team on response to Cities' Motion to continue trial date;
1705	09/07/12	Roos	1.10	\$ 465.00	\$ 511.50	Communications regarding depositions; review documents for deposition of Burlington; communications regarding opposition to motion to continue trial date;
1706	09/10/12	Talner	2.30	\$ 400.00	\$ 920.00	Draft declarations from jail visit witnesses
1707	09/11/12	Haynes	0.30	\$ 190.00	\$ 57.00	Email correspondence regarding jail visit and declarations [.3].
1708	09/11/12	Boschen	1.30	\$ 150.00	\$ 195.00	Prepared subpoenas, acceptances of service and notices of subpoenas and mailings for same [1]; prepared letter to Mr. Gipe regarding same [.1]; email correspondence with opposing counsel and Mr. Gipe regarding same [.1]; telephone conference regarding production [.1].
1709	09/11/12	Marshall	1.20	\$ 375.00	\$ 450.00	Worked on revisions to second SDT to Mountain Law [.2]; researched and analyzed issues regarding same and email correspondence with co-counsel regarding same [.3]; drafted SDT to Baker Lewis and researched and analyzed issues regarding same [.7].
1710	09/11/12	Zuchetto	2.25	\$ 330.00	\$ 742.50	Team call re case strategy/status.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1711	09/11/12	Talner	0.90	\$ 400.00	\$ 360.00	Draft declarations for jail visit witnesses
1712	09/11/12	Fisher	0.60	\$ 330.00	\$ 198.00	Read and edit inmate declarations; draft and send out agenda for weekly team meeting; schedule depositions;
1713	09/12/12	Haynes	1.00	\$ 190.00	\$ 190.00	Personal conferences and email correspondence regarding jail visit and declarations [1].
1714	09/12/12	Boschen	4.30	\$ 150.00	\$ 645.00	Conference call regarding case status [.5]; updated case contacts [.1]; reviewed recordings, meeting minutes and contracts and drafted summary of same [1.9]; prepared list of recording speakers for court reporter [.2]; telephone conference with court reporter regarding transcription [.1]; downloaded production and filed same [.2]; reviewed declaration and edited same [.4]; personal conferences and correspondence regarding same [.4]; telephone call to jail [.1]; reviewed jail roster [.1]; reviewed jail visit notes [.1]; reviewed public defender dockets [.2].
1715	09/12/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Team meeting re case status/strategy.
1716	09/12/12	Dunne	0.40	\$ 380.00	\$ 152.00	Conference call with co-counsel re case strategy
1717	09/12/12	Fisher	0.40	\$ 330.00	\$ 132.00	Edit and resend agenda for weekly meeting; schedule depositions;
1718	09/12/12	Williams	0.80	\$ 580.00	\$ 464.00	Prepare for and preside over trial team strategy conference call;
1719	09/13/12	Haynes	1.10	\$ 190.00	\$ 209.00	Reviewed and edited class member declarations [1.1].
1720	09/13/12	Boschen	6.40	\$ 150.00	\$ 960.00	Telephone conferences with witnesses [.8]; worked on revising, finalizing and printing declarations and personal conferences and correspondence regarding same [4.6]; printed out jail roster and reviewed for potential witnesses [.3]; correspondence with court reporter and co-counsel regarding deposition schedule [.2]; personal conference regarding deposition preparation [.3]; prepared for jail visit and witness interviews [.2].
1721	09/13/12	Marshall	1.50	\$ 375.00	\$ 562.50	Worked on preparation for deposition of Mr. Witt [.7]; worked on settlement issues [.2]; telephone conference with co-counsel regarding witness declarations [.1]; worked on same [.4]; analyzed issues regarding SDT for kites [.1].
1722	09/13/12	Talner	0.90	\$ 400.00	\$ 360.00	Teleconferences with witnesses to review declarations from jail visit, revisions to witness declarations
1723	09/13/12	Fisher	1.70	\$ 330.00	\$ 561.00	Draft letter regarding depositions; schedule depositions; speak with W. Honea about Svaren's deposition and subpoena for kites;
1724	09/13/12	Williams	0.50	\$ 580.00	\$ 290.00	Coordinate with team on deposition scheduling and settlement;
1725	09/13/12	Roos	1.20	\$ 465.00	\$ 558.00	Revise 30(b)(6) deposition notices; communications regarding depositions;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1726	09/14/12	Haynes	8.30	\$ 190.00	\$ 1,577.00	Drove to/from Mt. Vernon, met with class members, and worked on declarations for same [8.3].
1727	09/14/12	Boschen	9.00	\$ 150.00	\$ 1,350.00	Prepared for and traveled to and from Mount Vernon for witness interviews; drafted declarations; correspondence regarding same.
1728	09/14/12	Marshall	1.70	\$ 375.00	\$ 637.50	Drafted letter to opposing counsel regarding settlement counteroffer [.7]; researched and analyzed issues regarding same [.7]; email correspondence with and telephone call from co-counsel regarding same [.3].
1729	09/14/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review settlement offer and e-mail co-counsel re same.
1730	09/14/12	Dunne	0.40	\$ 380.00	\$ 152.00	Conduct legal research re court jurisdiction and monitoring in institutional cases; email with co-counsel re same
1731	09/14/12	Fisher	5.10	\$ 330.00	\$ 1,683.00	Schedule depositions; work on 30(b)(6) subpoenas; begin research for opposition to motion to continue trial date;
1732	09/14/12	Roos	0.30	\$ 465.00	\$ 139.50	Review response to settlement offer; communications regarding same;
1733	09/15/12	Boschen	0.40	\$ 150.00	\$ 60.00	Scanned and emailed signed declarations; correspondence regarding witnesses and declarations.
1734	09/16/12	Fisher	4.00	\$ 330.00	\$ 1,320.00	Draft opposition to motion to continue trial;
1735	09/17/12	Haynes	3.30	\$ 190.00	\$ 627.00	Email correspondence regarding class member declarations [.3]; worked on class member declarations [2.7]; telephone conference with co-counsel regarding class member declarations [.3].
1736	09/17/12	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence regarding witness interviews and declarations.
1737	09/17/12	Marshall	2.10	\$ 375.00	\$ 787.50	Researched and analyzed issues regarding Mr. Cooley's accusation of ex parte communications with insurance adjuster and drafted response to same [1.0]; telephone conferences and email correspondence with co-counsel regarding same [.4]; reviewed defendants' insurance policy and analyzed issues regarding same [.3]; email to opposing counsel regarding same [.1]; worked on witness declarations [.3].
1738	09/17/12	Marshall	2.10	\$ 375.00	\$ 787.50	Researched and analyzed issues regarding Mr. Cooley's accusation of ex parte communications with insurance adjuster and drafted response to same [1.0]; telephone conferences and email correspondence with co-counsel regarding same [.4]; reviewed defendants' insurance policy and analyzed issues regarding same [.3]; email to opposing counsel regarding same [.1]; worked on witness declarations [.3].
1739	09/17/12	Zuchetto	0.55	\$ 330.00	\$ 181.50	Review/edit declaration re Mountain Law current clients (.25); Review/edit response re defense counsel e-mail re contact w/ ins. adjuster (.3).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1740	09/17/12	Dunne	0.50	\$ 380.00	\$ 190.00	Correspondence with J. Strait; email correspondence with co-counsel re discovery issues
1741	09/17/12	Talner	1.20	\$ 400.00	\$ 480.00	Research re Mountain Law, research to prepare for jail visit on 9/18
1742	09/17/12	Roos	0.40	\$ 465.00	\$ 186.00	Revise 30(b)(6) deposition notices; communications regarding same;
1743	09/18/12	Boschen	5.20	\$ 150.00	\$ 780.00	Correspondence regarding production, declarations, depositions, discovery and subpoenas [.7]; prepared and finalized letter to opposing regarding supplementation of discovery responses [.3]; worked on deposition preparation [1.5]; telephone conference with witness [.1]; telephone conference regarding declarations [.1]; revised witness declaration [2]; copied and circulated Burlington email production [.2]; updated production log [.1]; continued document review [.2].
1744	09/18/12	Marshall	3.30	\$ 375.00	\$ 1,237.50	Worked on preparation for Witt deposition [.3]; email correspondence and telephone conference with Mr. Gipe regarding SDTs to Mountain Law and Baker Lewis [.3]; analyzed issues regarding same and request for extension [.2]; drafted letter to opposing counsel requesting supplementation of contract documents [.1]; analyzed issues regarding same [.1]; analyzed issues regarding review of Burlington email production [.2]; worked on deposition and document review issues [.2]; worked on witness declarations [.3]; researched and analyzed issues regarding defendants' request for continuance of trial date and email correspondence with co-counsel regarding response to same [.2]; worked on response to motion for continuance of trial date and telephone conference with co-counsel regarding same [1.4].
1745	09/18/12	Bergland	0.80	\$ 190.00	\$ 152.00	Office conference with Zuchetto re: production of e-mails (.2); E-mails to and from Jen re: same (.2); Review of capability of Outlook re: e-mails (.3); Office conference with AW re: same (.1).
1746	09/18/12	Zuchetto	1.05	\$ 330.00	\$ 346.50	Edit response re motion to continue and discuss same w/ co-counsel (.75); E-mail co-counsel re Burlington e-mail production and discuss same w/ KB (.3).
1747	09/18/12	Talner	4.50	\$ 400.00	\$ 1,800.00	Travel to and from Skagit County jail; interview witnesses at the jail; draft and revise witness declarations;
1748	09/18/12	Dunne	0.50	\$ 380.00	\$ 190.00	Email correspondence with co-counsel re discovery issues; review letter to opposing counsel re discovery; revise witness declaration; review and revise opp'n to defendants' motion to continue trial
1749	09/18/12	Fisher	2.70	\$ 330.00	\$ 891.00	Edit opposition to defendants' motion to continue trial date;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1750	09/18/12	Roos	0.40	\$ 465.00	\$ 186.00	Review opposition to motion to continue trial date;
1751	09/19/12	Boschen	3.00	\$ 150.00	\$ 450.00	Telephone conference regarding case status [.7]; continued document review [1.3]; researched current client criminal case activity [.1]; worked on proofreading response to motion to stay trial date and correspondence regarding same [.4]; reviewed production history and correspondence regarding same [.2]; worked on deposition scheduling [.2]; correspondence regarding subpoenas [.1].
1752	09/19/12	Marshall	1.80	\$ 375.00	\$ 675.00	Worked on response to Cities' motion for continuance [1.0]; participated in weekly call with co-counsel [.7]; worked on discovery issues [.1].
1753	09/19/12	Zuchetto	2.35	\$ 330.00	\$ 775.50	Edit response re motion to continue trial and discuss same w/ co-counsel (1.1); Prepare for Sybrandy deposition (1.25).
1754	09/19/12	Dunne	0.70	\$ 380.00	\$ 266.00	Review and revise opp'n to defendants' motion to continue trial
1755	09/19/12	Fisher	2.30	\$ 330.00	\$ 759.00	Edit opposition to defendants' motion to continue trial; edit and serve 30(b)(6) subpoenas;
1756	09/19/12	Roos	0.80	\$ 465.00	\$ 372.00	Review opposition to motion to continue trial date; communications regarding same;
1757	09/19/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Coordinate with team and preside over litigation strategy call; conference call with Skagit County Attorneys' office on subpoena compliance and delivery of documents; draft email to Skagit County Attorney addressing subpoena modification and jail log delivery;
1758	09/20/12	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence regarding production and witnesses [.1].
1759	09/20/12	Marshall	1.40	\$ 375.00	\$ 525.00	Email correspondence with Mr. Gipe and co-counsel regarding SDTs to Mountain Law and Baker Lewis and worked on issues regarding same [.2]; analyzed issues regarding production of confidential documents by Skagit Co. and proposed stipulated protective order for same [.2]; worked on general discovery and case strategy issues [.5]; worked on preparations for deposition of Mr. Witt [.5].
1760	09/20/12	Dunne	0.20	\$ 380.00	\$ 76.00	Email correspondence with co-counsel re discovery issues and jail kites
1761	09/20/12	Fisher	0.90	\$ 330.00	\$ 297.00	Draft letter to A. Denny regarding jail logs and inmate communications;
1762	09/21/12	Haynes	0.30	\$ 190.00	\$ 57.00	Personal conferences regarding jail visits and class member declarations [.3].
1763	09/21/12	Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft of and finalized letter to Mr. Gipe responding to letter regarding improper client contact.
1764	09/21/12	Nusser	3.90	\$ 225.00	\$ 877.50	Researched whether a party can introduce evidence at trial that is generated and gathered after the discovery cutoff date [3.9]

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1765	09/21/12	Boschen	1.30	\$ 150.00	\$ 195.00	Prepared production to opposing counsel and letter regarding same; personal conferences and correspondence regarding confirmations of understanding; personal conference and correspondence regarding deposition preparation.
1766	09/21/12	Marshall	4.20	\$ 375.00	\$ 1,575.00	Researched and analyzed issues regarding Mountain Law's accusations of improper ex parte contacts [1.0]; telephone conferences with co-counsel and expert regarding same [.6]; drafted letter to Mr. Gipe regarding same [.2]; email correspondence with co-counsel regarding same [.1]; prepared for deposition of Mr. Witt and worked on outline for same [2.3].
1767	09/21/12	Zuchetto	5.25	\$ 330.00	\$ 1,732.50	Prepare outline/docs. for Sybrandy deposition (4.0); Discuss letter from Mountain Law attorney re contact w/ current clients w/ co-counsel (.25); Research re same (.5); Review/analyze Defendants' response re motion for continuance (.5).
1768	09/21/12	Dunne	0.40	\$ 380.00	\$ 152.00	Email correspondence with co-counsel re discovery issues and correspondence from opposing counsel
1769	09/21/12	Fisher	1.20	\$ 330.00	\$ 396.00	Draft and send letters to A. Cooley regarding J. Feldman and D. Svaren depositions and 30(b)(6) documents; read defendants' reply in support of motion to continue trial;
1770	09/21/12	Williams	2.00	\$ 580.00	\$ 1,160.00	Review Cities' motion to continue trial date and attached exhibits; review plaintiffs' opposition to motion to continue trial date and declarations in support; review Cooley letter on deposition scheduling;
1771	09/22/12	Marshall	3.40	\$ 375.00	\$ 1,275.00	Reviewed defendants' reply in support of motion to continue trial date and analyzed issues regarding same [.2]; prepared for deposition of Mr. Witt, reviewed documents for same, and worked on outline for same [3.2].
1772	09/22/12	Webster	3.00	\$ 80.00	\$ 240.00	Work on deleting duplicates from outlook e-mail files.
1773	09/23/12	Marshall	4.10	\$ 375.00	\$ 1,537.50	Worked on outline for deposition of Mr. Witt and reviewed documents for same [4.1].
1774	09/23/12	Zuchetto	4.00	\$ 330.00	\$ 1,320.00	Prepare outline and docs. for Sybrandy deposition.
1775	09/24/12	Boschen	0.20	\$ 150.00	\$ 30.00	Correspondence regarding deposition preparation and production [.2].
1776	09/24/12	Marshall	6.60	\$ 375.00	\$ 2,475.00	Telephone conferences with co-counsel regarding preparations for depositions of Witt and Sybrandy [.7]; worked on outline of Witt deposition and reviewed documents for same [5.9].
1777	09/24/12	Webster	2.50	\$ 80.00	\$ 200.00	Delete duplicates of e-mails through Scott T. Constitution.
1778	09/24/12	Zuchetto	4.00	\$ 330.00	\$ 1,320.00	Prepare for Sybrandy deposition.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1779	09/24/12	Talner	1.90	\$ 400.00	\$ 760.00	Teleconference with co-counsel to prepare for Sybrandy and Witt depositions, and list evidence relevant to those for co-counsel
1780	09/24/12	Williams	0.50	\$ 580.00	\$ 290.00	Review Cities' reply regarding motion to continue trial date;
1781	09/24/12	Roos	0.40	\$ 465.00	\$ 186.00	Communications regarding depositions and 30(b)(6) deposition notices; revise deposition notices;
1782	09/25/12	Nusser	2.50	\$ 225.00	\$ 562.50	Continued researching whether a party can introduce evidence at trial that is generated and gathered after the discovery cutoff date [2.5].
1783	09/25/12	Boschen	7.90	\$ 150.00	\$ 1,185.00	Worked on deposition preparation and personal conferences and correspondence regarding same; worked on Sybrandy data analysis and correspondence regarding same; worked on preparing all files for reproduction to opposing counsel; telephone conference with client.
1784	09/25/12	Marshall	7.20	\$ 375.00	\$ 2,700.00	Worked on outline for deposition of Mr. Witt and reviewed documents for same [6.7]; meeting with co-counsel regarding same [.5].
1785	09/25/12	Webster	5.00	\$ 80.00	\$ 400.00	Delete duplicates of e-mails through Bryan H Caseload.
1786	09/25/12	Zuchetto	10.75	\$ 330.00	\$ 3,547.50	Prepare for Sybrandy deposition (5.25); Travel to Mt. Vernon re same (5.5).
1787	09/26/12	Boschen	3.00	\$ 150.00	\$ 450.00	Bates labeled Skagit County production; telephone conference and correspondence regarding same; drafted letter to opposing counsel regarding past productions; prepared index for same; updated production log; correspondence regarding deposition testimony; continued work on deposition scheduling and correspondence regarding same; correspondence regarding supplemental production.
1788	09/26/12	Marshall	12.20	\$ 375.00	\$ 4,575.00	To Mount Vernon for deposition of Mr. Sybrandy [1.3]; meetings with co-counsel regarding same [1.7]; attended deposition of Mr. Sybrandy [7.7]; prepared for deposition of Mr. Witt [1.5].
1789	09/26/12	Webster	2.50	\$ 80.00	\$ 200.00	Create master file for all PDF's extracted from outlook files and begin filling it with one of each e-mail.
1790	09/26/12	Zuchetto	10.00	\$ 330.00	\$ 3,300.00	Preparation for and take Sybrandy deposition and debrief with co-counsel re same.
1791	09/26/12	Talner	8.00	\$ 400.00	\$ 3,200.00	Attend Sybrandy deposition; travel to and from deposition
1792	09/26/12	Williams	5.00	\$ 580.00	\$ 2,900.00	Continue creating deposition examination outline for Mt. Vernon City official Eric Stendal;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1793	09/27/12	Boschen	3.10	\$ 150.00	\$ 465.00	Filed deposition transcripts; correspondence regarding deposition testimony; worked on production; correspondence regarding same; telephone conference and correspondence with vendor regarding email data export; telephone conference with Mr. Gipe regarding objections to subpoena.
1794	09/27/12	Marshall	10.70	\$ 375.00	\$ 4,012.50	Prepared for deposition of Mr. Witt [.5]; deposed Mr. Witt [7.4]; meetings and telephone conferences with co-counsel regarding same [1.2]; returned to Seattle from same [1.6].
1795	09/27/12	Webster	2.50	\$ 80.00	\$ 200.00	Work on master "de-duped" file with outlook e-mails up to Bryan Hoac.
1796	09/27/12	Zuchetto	12.75	\$ 330.00	\$ 4,207.50	Preparation for and attend Witt deposition (7.0); Travel home (5.0); Review motions re Judge Svaren deposition and Mountain Law motion for protective order (.75).
1797	09/27/12	Talner	5.10	\$ 400.00	\$ 2,040.00	Attend Witt deposition; travel to and from deposition; review documents produced by county and email co-counsel about them
1798	09/27/12	Williams	3.00	\$ 580.00	\$ 1,740.00	Meet with B. Roos to discuss opposition to Cities' motion for protective order and motion to extend discovery cutoff for Judge Svaren deposition; continue to prepare for E. Stendal deposition;
1799	09/27/12	Roos	3.20	\$ 465.00	\$ 1,488.00	Prepare for deposition of J. Aarstad; telephone conference with A. Gipe regarding Mountain Law subpoenas; prepare for same; communications regarding same;
1800	09/28/12	Boschen	4.00	\$ 150.00	\$ 600.00	Telephone conference and correspondence with vendor and co-counsel regarding email export; continued work on production; continued work on deposition scheduling; prepared third amended notice and subpoena for Judge Svaren;
1801	09/28/12	Marshall	3.90	\$ 375.00	\$ 1,462.50	Analyzed issues regarding scheduling of continuation of of Mr. Witt's deposition and email correspondence with Mr. Murphy and opposing counsel regarding same [.2]; memorandum to co-counsel regarding deposition of Mr. Witt and analyzed issues regarding same [.5]; worked on strategy for depositions [.3]; reviewed Mountain Law's motion for protective order and researched and analyzed issues raised in same [2.5]; analyzed issues regarding motion to extend discovery cutoff for deposition of Judge Svaren [.3]; email correspondence and exchange of messages with Mr. Augenthaler regarding same [.1].
1802	09/28/12	Webster	0.50	\$ 80.00	\$ 40.00	Work on individual files for Aarstad and Stendal.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1803	09/28/12	Bergland	0.80	\$ 190.00	\$ 152.00	Office conference with Zuchetto re: review of Burlington e-mails and upcoming depositions.
1804	09/28/12	Zuchetto	5.00	\$ 330.00	\$ 1,650.00	Analyze information provided re Sybrandy/Witt depositions (1.25); Review/analyze motion for protective order re Mountain Law, discuss same w/ co-counsel (2.5); Work on Burlington discovery production review (.75); Review/analyze motion to take dep. after discovery cut-off and discuss same w/ co-counsel (.5).
1805	09/28/12	Talner	0.90	\$ 400.00	\$ 360.00	Emails with co-counsel re discovery issues; review outline for upcoming deposition; research re jail kites issue
1806	09/28/12	Dunne	1.10	\$ 380.00	\$ 418.00	Email correspondence with co-counsel re pending motions; conference calls with A. Denny re jail kites; email correspondence with co-counsel re same; correspondence with R. Aronson re declaration
1807	09/28/12	Roos	4.90	\$ 465.00	\$ 2,278.50	Prepare for deposition of J. Aarstad; communications regarding opposition to motion for protective order; communications regarding Burlington email production;
1808	09/28/12	Williams	7.50	\$ 580.00	\$ 4,350.00	Coordinate with ACLU on coverage of opposition to Mountain Law's Motion for Protective Order; continue review of documents and creation of Stendal deposition outline; review correspondence with Skagit County on production of Kites;
1809	09/29/12	Webster	2.00	\$ 80.00	\$ 160.00	Work on Aarstad e-mail file.
1810	09/29/12	Roos	3.30	\$ 465.00	\$ 1,534.50	Prepare for deposition of J. Aarstad; review emails relating to same;
1811	09/30/12	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding Stendal and Aarstad depositions [.2].
1812	09/30/12	Webster	3.00	\$ 80.00	\$ 240.00	Work on Stendal e-mails and send to Zuchetto.
1813	09/30/12	Roos	1.80	\$ 465.00	\$ 837.00	Prepare for deposition of J. Aarstad;
1814	09/30/12	Williams	2.10	\$ 580.00	\$ 1,218.00	Continue creating deposition outline for Mt. Vernon Contract administrator, E. Stendal
1815	10/01/12	Kinsey	0.60	\$ 100.00	\$ 60.00	Prepared draft response to Mountain Law's motion for protective order [.2]; prepared Marshall declaration supporting same [.2]; prepared proposed order denying motion [.2].
1816	10/01/12	Nusser	0.40	\$ 225.00	\$ 90.00	Conference regarding response to motion for protective order [.4]
1817	10/01/12	Boschen	0.30	\$ 150.00	\$ 45.00	Worked on production issues and correspondence regarding same.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1818	10/01/12	Marshall	7.00	\$ 375.00	\$ 2,625.00	Reviewed supplemental production from defendants and email correspondence with co-counsel regarding same [1.8]; researched and analyzed issues regarding Mountain Law's motion for protective order and worked on response to same [4.1]; telephone conferences with co-counsel regarding same [.5]; worked on expert issues for same [.6].
1819	10/01/12	Webster	2.50	\$ 80.00	\$ 200.00	Work on Sybrandy e-mails and send to Zuchetto.
1820	10/01/12	Zuchetto	2.75	\$ 330.00	\$ 907.50	Discuss supplemental expert witness disclosures w/ co-counsel re e-mail re same (1.25); Analyze draft declaration re Prof. Aronson and discuss same w/ co-counsel (1.5).
1821	10/01/12	Dunne	0.40	\$ 380.00	\$ 152.00	Correspondence with R. Aronson re declaration; email correspondence with co-counsel re discovery and pending motions
1822	10/01/12	Talner	1.50	\$ 400.00	\$ 600.00	Teleconference with expert witness re supplemental report, review documents produced by Baker Lewis and email co-counsel about them
1823	10/01/12	Williams	1.50	\$ 580.00	\$ 870.00	Continue editing E. Stendal outline to include examination on exhibits belatedly produced by Cities on 10/1/12; conference call with B. Roos on Arstaad deposition;
1824	10/02/12	Nusser	7.80	\$ 225.00	\$ 1,755.00	Worked on response to motion for protective order and supporting documents [7.8]
1825	10/02/12	Marshall	6.80	\$ 375.00	\$ 2,550.00	Worked on response to Mountain Law's motion for protective order and researched and analyzed issues regarding same [6.1]; worked on expert declaration for same [.4]; worked on discovery issues [.3].
1826	10/02/12	Webster	5.00	\$ 80.00	\$ 400.00	Work on e-mail file for Aarstad and filled it with de-duped e-mails through User PST, ACLU file.
1827	10/02/12	Zuchetto	2.75	\$ 330.00	\$ 907.50	Research/work on communication with class member issue (1.25); Review/edit declaration re contacting class members (1.5).
1828	10/02/12	Williams	11.00	\$ 580.00	\$ 6,380.00	Prepare for and take deposition of Mt. Vernon Special Projects Administrator E. Stendal in Mt. Vernon;
1829	10/03/12	Kinsey	2.00	\$ 100.00	\$ 200.00	Reviewed, revised and finalized plaintiffs' response to Mountain Law's motion for protective order [.9]; reviewed and finalized Roos declaration [.3]; reviewed and finalized Aronson declaration [.3]; reviewed and finalized Marshall declaration [.3]; arranged filing and service [.2].
1830	10/03/12	Nusser	6.80	\$ 225.00	\$ 1,530.00	Researched shifting costs to party requesting documents by subpoena [2]; worked on revisions to response to motion for protective order and supporting documents, and finalized the same for filing [4.8].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1831	10/03/12	Marshall	7.80	\$ 375.00	\$ 2,925.00	Worked on response to Mountain Law's motion for protective order, worked on documents in support of same, and researched and analyzed issues regarding same [6.8]; weekly telephone conference with co-counsel regarding various discovery, case strategy, and expert issues [1.0].
1832	10/03/12	Webster	2.50	\$ 80.00	\$ 200.00	Continue to work on adding e-mails to Aarstad folder.
1833	10/03/12	Zuchetto	5.45	\$ 330.00	\$ 1,798.50	Work on MV e-mail production (1.75); Review/edit response re motion for protective order (2.7); Team meeting/call re strategy/status (1.0).
1834	10/03/12	Dunne	0.40	\$ 380.00	\$ 152.00	Correspondence with R. Aronson re his declaration for opposition to motion for protective order
1835	10/03/12	Williams	2.00	\$ 580.00	\$ 1,160.00	Draft summary of E. Stendal deposition; participate in trial team conference call; review draft opposition to motion for protective order; begin developing case time line and theory;
1836	10/03/12	Roos	2.10	\$ 465.00	\$ 976.50	Telephone conference with team regarding case status; revise opposition to Mountain Law motion for a protective order; draft declaration in support of same; telephone conference with T. Marshall regarding same;
1837	10/04/12	Marshall	1.30	\$ 375.00	\$ 487.50	Worked on discovery and case strategy issues [.4]; worked on issues with deposition exhibits [.2]; telephone call from Mr. Honea regarding scheduling of deposition of Judge Svaren [.1]; worked on Burlington email review project [.6].
1838	10/04/12	Webster	2.50	\$ 80.00	\$ 200.00	Complete work on Aarstad file and begin to work on general file for indigent case e-mails.
1839	10/04/12	Bledsoe	0.15	\$ 120.00	\$ 18.00	Draft letter to Richard Sybrandy.
1840	10/04/12	Zuchetto	4.50	\$ 330.00	\$ 1,485.00	E-mail co-counsel re Burlington e-mail production (.75); Review Burlington e-mail production (3.0); Draft/edit letter to Sybrandy (.75).
1841	10/05/12	Kinsey	0.60	\$ 100.00	\$ 60.00	Prepared draft of plaintiffs' demand for City of Mount Vernon to supplement discovery responses [.3]; prepared draft of plaintiffs' demand for City of Burlington to supplement discovery responses [.3].
1842	10/05/12	Boschen	4.40	\$ 150.00	\$ 660.00	Drafted, finalized and served subpoena and notice to Mountain Law for 30(b)(6) deposition; personal conferences and correspondence regarding same; correspondence regarding experts and production; revised, finalized and served Plaintiffs Demand to Supplement Discovery; personal conferences and correspondence regarding same.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1843	10/05/12	Marshall	1.40	\$ 375.00	\$ 525.00	Worked on draft of supplementation request to defendants [.1]; worked on subpoena to Mountain Law for deposition pursuant to Rule 30(b)(6) and researched and analyzed issues regarding same [.6]; worked on discovery and deposition scheduling issues [.4]; worked on expert issues [.2]; telephone call from co-counsel regarding same [.1].
1844	10/05/12	Webster	2.00	\$ 80.00	\$ 160.00	Continue work on general file for indigent case e-mails.
1845	10/05/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review/analyze Mountain Law docs.
1846	10/07/12	Marshall	0.50	\$ 375.00	\$ 187.50	Reviewed Mountain Law's reply in support of protective order motion [.2]; worked on document management and case file issues [.3].
1847	10/08/12	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence regarding document productions [.1].
1848	10/08/12	Marshall	0.10	\$ 375.00	\$ 37.50	Email correspondence with Mr. Gipe regarding scheduling of Mountain Law deposition [.1].
1849	10/08/12	Fisher	1.60	\$ 330.00	\$ 528.00	Read reply to motion for protective order by Mountain Law and supporting declarations; review discovery production from cities; read R. Sybrandy's deposition transcript;
1850	10/08/12	Roos	1.60	\$ 465.00	\$ 744.00	Review reply in support of Mountain Law's motion for protective order; revise Rule 30(b)(6) notices, including review of documents for same;
1851	10/08/12	Williams	1.80	\$ 580.00	\$ 1,044.00	Review email correspondence from team on litigation strategy and continue developing trial plan;
1852	10/09/12	Boschen	1.40	\$ 150.00	\$ 210.00	Telephone conference with client [.1]; commenced document review and correspondence regarding same [1.3].
1853	10/09/12	Marshall	0.30	\$ 375.00	\$ 112.50	Reviewed court's order continuing trial date and analyzed issues regarding same [.2]; worked on discovery issues [.1].
1854	10/09/12	Fisher	1.60	\$ 330.00	\$ 528.00	Read R. Sybrandy's deposition transcript; review discovery; send agenda for weekly meeting;
1855	10/09/12	Roos	1.70	\$ 465.00	\$ 790.50	Revise Rule 30(b)(6) notices, including review of documents for same; review court order regarding motion to continue trial dates; communications regarding same;
1856	10/09/12	Williams	1.00	\$ 580.00	\$ 580.00	Review district court order granting trial date extension; review email on team litigation strategy;
1857	10/10/12	Boschen	3.70	\$ 150.00	\$ 555.00	Conference call regarding case status [1.1]; worked on production and discovery issues [2.3]; telephone conference regarding privileged production issue [.1]; correspondence regarding same [.2].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1858	10/10/12	Marshall	2.20	\$ 375.00	\$ 825.00	Prepared for and participated in weekly team meeting regarding various discovery and case strategy issues [1.1]; researched and analyzed issues regarding handling of inadvertently produced materials that may be privileged or protected [.4]; worked on same [.3]; email correspondence with co-counsel and opposing counsel regarding same [.2]; telephone conference with opposing counsel regarding same [.2].
1859	10/10/12	Talner	1.40	\$ 400.00	\$ 560.00	Teleconference with main plaintiff, conference call with co-counsel re case strategy
1860	10/10/12	Fisher	5.90	\$ 330.00	\$ 1,947.00	Research attorney fee issue; listen to court recordings of R. Martineau's, J. Norman's, participate in weekly team call; read M. Witt's deposition transcript; draft letter to A. Cooley regarding rescheduling of depositions; draft letter to M. Witt regarding production of withheld documents;
1861	10/10/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Review legal research on mootness theory and standard of proof at trial and prepare for call with litigation team; prepare for and participate in litigation team conference call; begin outlining potential case theory for trial; coordinate on printing Witt and Sybrandy deposition transcripts;
1862	10/11/12	Marshall	0.50	\$ 375.00	\$ 187.50	Telephone conference and email correspondence with Mr. Gipe regarding Mountain Law deposition and analyzed issues regarding same [.2]; analyzed issues regarding same case strategy and telephone conference with co-counsel regarding same [.3].
1863	10/11/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review Court order setting new schedule.
1864	10/11/12	Roos	0.70	\$ 465.00	\$ 325.50	Review new discovery and trial schedule; communications regarding same; communications regarding expert discovery;
1865	10/11/12	Williams	1.00	\$ 580.00	\$ 580.00	Begin outlining and drafting case overview in preparation for trial;
1866	10/12/12	Boschen	6.40	\$ 150.00	\$ 960.00	Worked on produciton issues and telephone conferences and correspondence regarding same [6.2]; telephone conference and correspondence with vendor regarding Defendants' inadvertent production of privileged documents [.2].
1867	10/12/12	Marshall	0.70	\$ 375.00	\$ 262.50	Analyzed issues regarding handling of inadvertently produced materials in Burlington email production [.4]; analyzed issues regarding witness disclosures [.1]; worked on case strategy and expert issues [.1]; analyzed issues regarding documents withheld by Mr. Witt on grounds of attorney-client privilege and work product [.1].
1868	10/12/12	Zuchetto	1.25	\$ 330.00	\$ 412.50	Review files re destroy re inadvertent privilege production by defendants.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1869	10/12/12	Fisher	2.60	\$ 330.00	\$ 858.00	Read M. Witt's deposition transcript and begin gathering evidence to support claims; edit and send letter to J. Murphy regarding privilege log and calendar of meetings with clients;
1870	10/14/12	Marshall	0.20	\$ 375.00	\$ 75.00	Reviewed letter from indigent defendant regarding relief sought in lawsuit and drafted response to same [.2].
1871	10/15/12	Roos	0.50	\$ 465.00	\$ 232.50	Communications regarding deposition scheduling;
1872	10/15/12	Fisher	0.90	\$ 330.00	\$ 297.00	Draft letter to A. Cooley regarding cancellation and rescheduling of depositions; coordinate deposition dates with Perkins, T. Marshall, M. Zuchetto, W. Honea, and D. Svaren; read partial summary judgment filed in Grant County case;
1873	10/16/12	Boschen	4.30	\$ 150.00	\$ 645.00	Voicemail from client regarding status; telephone and personsal conferences with and regarding client and correspondence regarding same; correspondence regarding deposition schedule; telephone conference and correspondence with vendor regarding production issues.
1874	10/16/12	Marshall	0.60	\$ 375.00	\$ 225.00	Analyzed issues regarding Mr. Wilbur and factual background [.3]; worked on research regarding ability of Cities to present evidence obtained after discovery cutoff [.3].
1875	10/16/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Review letter from def. counsel re depositions and discuss same w/ co-counsel.
1876	10/16/12	Fisher	1.60	\$ 330.00	\$ 528.00	Call W. Honea to schedule D. Svaren's deposition; send letter to A. Cooley regarding cancellation and rescheduling of depositions; draft meeting agenda; talk with J. Boschen about Burlington email production and J. Wilbur; review M. Witt's 50 case files;
1877	10/16/12	Williams	1.00	\$ 580.00	\$ 580.00	Review C. Fisher correspondence; respond to questions on deposition scheduling; review new case law on potential constitutional issue;
1878	10/17/12	Boschen	3.10	\$ 150.00	\$ 465.00	Worked on production issues; telephone conference with opposing counsel regarding same; telephone conference and correspondence with vendor regarding same; worked on discovery issues relating to public defense certification; personal conference and correspondence regarding same; call to Chehalis Tribal Jail; telephone conference with client's brother.
1879	10/17/12	Marshall	1.30	\$ 375.00	\$ 487.50	Prepared for weekly strategy call with co-counsel [.1]; participated in same [.5]; accounting issues and email correspondence with opposing counsel regarding handling of inadvertently produced emails [.3]; worked on discovery issues [.4].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1880	10/17/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Team meeting re case status/strategy.
1881	10/17/12	Dunne	0.60	\$ 380.00	\$ 228.00	Conference call with A. Denny re jail log process and kite process; email correspondence with co-counsel re same
1882	10/17/12	Roos	0.80	\$ 465.00	\$ 372.00	Telephone conference with team regarding ongoing issues; conference with J. Williams regarding trial strategy;
1883	10/17/12	Fisher	1.90	\$ 330.00	\$ 627.00	Update and send team meeting agenda; talk with S. Dunne about Skagit County subpoena regarding jail logs and kites; draft letter to A. Cooley regarding depositions in response to his October 16 letter criticizing us for rescheduling depositions;
1884	10/17/12	Williams	1.20	\$ 580.00	\$ 696.00	Prepare for and participate in team strategy call; coordinate with associates on creation of case theory; coordinate with ACLU on jail 30(b)(6) witness;
1885	10/18/12	Boschen	1.90	\$ 150.00	\$ 285.00	Continued work on production issues and document review [.7]; correspondence regarding deposition transcripts and scheduling [.1]; telephone conferences with client, Chehalis Tribal Jail, Mr. Chesnin and personal conferences regarding same [1.1].
1886	10/18/12	Marshall	0.40	\$ 375.00	\$ 150.00	Analyzed issues regarding public records act request for certifications filed by Mountain Law attorneys [.1]; analyzed issues regarding discovery from Skagit Co. [.1]; analyzed issues regarding status of Mr. Wilbur [.2].
1887	10/18/12	Williams	2.00	\$ 580.00	\$ 1,160.00	Review and edit letter to counsel for defendants on rescheduling depositions and civility;
1888	10/18/12	Fisher	2.40	\$ 330.00	\$ 792.00	Draft letter to A. Cooley regarding rescheduling of depositions to January 2013; draft case overview; speak with J. Boschen about J. Wilbur; read L. Alvarez deposition;
1889	10/19/12	Boschen	3.40	\$ 150.00	\$ 510.00	Prepared PDR to Burlington and Mount Vernon municipal courts [.4]; continued work on production issues and correspondence with vendor regarding same [1.5]; telephone conferences regarding client and personal conferences regarding same [.6]; telephone call to class member [.1]; correspondence regarding deposition scheduling [.1]; telephone call to Upper Skagit Court [.1]; continued work on document review [.6].
1890	10/19/12	Marshall	0.40	\$ 375.00	\$ 150.00	Analyzed issues regarding status of Mr. Wilbur [.4].
1891	10/19/12	Williams	3.50	\$ 580.00	\$ 2,030.00	Continue drafting letter to counsel for Cities on scheduling depositions and request for civility;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1892	10/19/12	Fisher	3.20	\$ 330.00	\$ 1,056.00	Read E. Stendal's deposition; review documents produced by Cities' regarding their budgets; draft case overview; draft first amended notice of deposition for J. Feldman and fourth amended notice of deposition for D. Svaren;
1893	10/20/12	Marshall	0.40	\$ 375.00	\$ 150.00	Prepared for continuation of Mr. Witt's deposition [.4].
1894	10/21/12	Marshall	0.50	\$ 375.00	\$ 187.50	Reviewed documents in preparation for continuation of Mr. Witt's deposition [.5].
1895	10/22/12	Boschen	0.20	\$ 150.00	\$ 30.00	Telephone conference and correspondence regarding deposition [.2].
1896	10/22/12	Marshall	7.70	\$ 375.00	\$ 2,887.50	To Mount Vernon for continuation of Mr. Witt's deposition [1.3]; participated in same [4.7]; returned from same [1.4]; analyzed issues regarding same [.3].
1897	10/22/12	Fisher	1.60	\$ 330.00	\$ 528.00	Draft case overview; read E. Stendal's deposition and add to proof chart; draft and serve subpoenas on J. Feldman and D. Svaren; save depositions and transcripts to DMS
1898	10/23/12	Boschen	3.80	\$ 150.00	\$ 570.00	Continued work on production issues and correspondence with vendor regarding same [.2]; continued work on document review and personal conferences regarding same [2.9]; correspondence regarding depositions [.2]; telephone conferences with and regarding client [.5].
1899	10/23/12	Marshall	0.60	\$ 375.00	\$ 225.00	Worked on document review issues and issues regarding potentially inadvertent production of privileged materials [.6].
1900	10/23/12	Williams	0.50	\$ 580.00	\$ 290.00	Review correspondence from attorney for Cities and exchange emails on same; send A. Cooley second request for CR 37 conference;
1901	10/24/12	Boschen	1.40	\$ 150.00	\$ 210.00	Case status conference call and prep for same [.5]; worked on deposition scheduling and related issues [.5]; telephone conference with Mr. Augenthaler regarding inadvertently produced privilege documents and personal conference regarding same [.2]; telephone calls to and correspondence with vendor regarding same [.1]; telephone conference with client [.1];
1902	10/24/12	Marshall	1.30	\$ 375.00	\$ 487.50	Prepared for and participated in weekly call with co-counsel [.6]; analyzed issues regarding second production of privileged emails from Burlington and telephone conference with opposing counsel regarding same [.4]; analyzed issues regarding deposition scheduling and telephone conference with Mr. Gipe regarding same [.1]; email to Mr. Murphy regarding production of potentially privileged emails [.1]; left message with Mr. Murphy factual background issues with Mr. Witt and worked on same [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1903	10/24/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Team meeting re litigation strategy.
1904	10/24/12	Fisher	1.50	\$ 330.00	\$ 495.00	Participate in team meeting; organize Feldman deposition room; discuss production with J. Boschen;
1905	10/24/12	Williams	2.00	\$ 580.00	\$ 1,160.00	Prepare for and preside over litigation team coordination conference call; draft letter to A. Cooley on CR 37 conference to discuss 30(b)(6) deposition dates; coordinate with Cooley's staff on CR 37 conference;
1906	10/25/12	Fisher	0.60	\$ 330.00	\$ 198.00	Draft amended notice of depositions for Mount Vernon and Burlington 30(b)(6) depositions; meet with B. Roos to discuss documents and topics for depositions;
1907	10/25/12	Roos	0.20	\$ 465.00	\$ 93.00	Conference regarding city deposition notices; review and revise same;
1908	10/25/12	Williams	1.00	\$ 580.00	\$ 580.00	Draft letter to counsel for Cities rejecting proposal to extend discovery cutoff and finalize 30(b)(6) deposition dates for Cities; edit 30(b)(6) notice to include additional examination areas;
1909	10/26/12	Boschen	0.30	\$ 150.00	\$ 45.00	Worked on deposition issues [.2]; correspondence regarding clients [.1];
1910	10/26/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Draft letter to Sybrandy.
1911	10/26/12	Williams	0.70	\$ 580.00	\$ 406.00	Edit Cities' 30(b)(6) deposition notice;
1912	10/29/12	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on scheduling of Mountain Law deposition and email correspondence with opposing counsel and Mr. Gipe regarding same [.2].
1913	10/29/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Review cost/invoices (.5); E-mail team re same (.25).
1914	10/30/12	Boschen	1.40	\$ 150.00	\$ 210.00	Worked on deposition issues [1.4];
1915	10/30/12	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding deposition transcripts [.1]; analyzed issues regarding Mr. Witt's documents and left message with Mr. Murphy regarding same [.1].
1916	10/30/12	Roos	0.30	\$ 465.00	\$ 139.50	Revise Burlington deposition notice;
1917	10/30/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Edit Mt. Vernon and Burlington 30(b)(6) notices; draft cover letter to Cooley on 30(b)(6) deposition notices; begin review of L. Alvarez deposition testimony;
1918	10/31/12	Boschen	1.00	\$ 150.00	\$ 150.00	Worked on deposition issues [.1]; conference call regarding case status [.6]; correspondence regarding public records request [.2]; worked on production issues [.1];
1919	10/31/12	Marshall	1.40	\$ 375.00	\$ 525.00	Analyzed issues regarding deposition transcripts and video [.1]; participated in weekly co-counsel call [.6]; worked on additional discovery requests [.2]; analyzed issues regarding Witt production and related issues [.2]; telephone conference with Mr. Murphy regarding same [.3].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1920	10/31/12	Zuchetto	1.30	\$ 330.00	\$ 429.00	Team meeting re case status/strategy (1.0); Work on discovery supplement (.3).
1921	10/31/12	Roos	0.60	\$ 465.00	\$ 279.00	Telephone conference with team regarding discovery issues; review motion to continue discovery deadline;
1922	10/31/12	Williams	3.00	\$ 580.00	\$ 1,740.00	Prepare for and preside over conference call with litigation team on strategy; review Cooley motion to extend discovery cutoff; continue review of L. Alvarez deposition testimony and creation of key events timeline; review and comment on email exchange involving Murphy claim of privilege;
1923	11/01/12	Boschen	0.20	\$ 150.00	\$ 30.00	Telephone conferences with client and correspondence regarding same [.2];
1924	11/01/12	Marshall	0.10	\$ 375.00	\$ 37.50	Worked on discovery issues [.1].
1925	11/01/12	Zuchetto	3.10	\$ 330.00	\$ 1,023.00	Work on outstanding discovery requests.
1926	11/01/12	Williams	3.50	\$ 580.00	\$ 2,030.00	Continue to review deposition transcripts and create summaries of expected trial testimony; continue to identify documents for Hot Docs Binder;
1927	11/02/12	Boschen	0.70	\$ 150.00	\$ 105.00	Worked on amending Mountain Law subpoena and serving same [.7];
1928	11/02/12	Marshall	0.50	\$ 375.00	\$ 187.50	Telephone conferences with co-counsel regarding issues with litigation expenses [.5].
1929	11/02/12	Zuchetto	2.00	\$ 330.00	\$ 660.00	Call w/ co-counsel re case costs and review same (.5); Legal research re mootness doctrine (1.5).
1930	11/02/12	Fisher	1.20	\$ 330.00	\$ 396.00	Take care of Witt's privileged emails; draft letter to J. Murphy regarding privilege log and electronic calendar meetings; draft letter to W. Honea regarding amended notice and subpoena;
1931	11/02/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Coordinate with C. Fisher on draft opposition to motion to change trial date; review amended 30(b)(6) notice for Mountain Law; review amended deposition notices for Judge Svaren and expert Feldman; review letter to J. Murphy on Witt production issues; continue development of potential case theory based on L. Alvarez deposition testimony;
1932	11/05/12	Fisher	2.30	\$ 330.00	\$ 759.00	Email team secretaries regarding saving documents to DMS; draft opposition to defendants' motion to continue discovery deadline;
1933	11/05/12	Williams	1.50	\$ 580.00	\$ 870.00	Continue review of E. Stendal deposition to identify trial testimony and exhibits;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1934	11/06/12	Boschen	0.50	\$ 150.00	\$ 75.00	Bates labeled, OCRd and produced documents received by the Mount Vernon Municipal Court in response to public records request [.3]; updated production log [.1]; correspondence regarding deposition transcript and exhibits [.1];
1935	11/06/12	Zuchetto	1.25	\$ 330.00	\$ 412.50	Edit response re motion to continue.
1936	11/06/12	Roos	0.40	\$ 465.00	\$ 186.00	Review and comment regarding opposition to defendants' motion for relief from discovery deadline;
1937	11/06/12	Fisher	2.20	\$ 330.00	\$ 726.00	Finish opposition to defendants' motion for relief from discovery deadline; draft and send agenda for tomorrow's meeting to team;
1938	11/06/12	Williams	1.80	\$ 580.00	\$ 1,044.00	Review and edit plaintiffs' opposition to Cities' Motion to Change Discovery Cutoff; continue review of Stendal deposition and identification of trial testimony;
1939	11/07/12	Boschen	1.70	\$ 150.00	\$ 255.00	Conference call regarding case status [.6]; telephone conference with class member and correspondence regarding same [1]; worked on document review [.1].
1940	11/07/12	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on response to motion to continue [.2].
1941	11/07/12	Zuchetto	1.75	\$ 330.00	\$ 577.50	Team meeting re case strategy/status (.75); Review/edit reply re motion for relief from discovery deadline (1.0).
1942	11/07/12	Fisher	1.80	\$ 330.00	\$ 594.00	Edit opposition to motion for relief from discovery deadline; update agenda; participate in team call;
1943	11/07/12	Williams	1.50	\$ 580.00	\$ 870.00	Prepare for and chair team meeting on litigation strategy; coordinate on finalization of opposition to Cities' motion to extend discovery cutoff;
1944	11/08/12	Boschen	5.50	\$ 150.00	\$ 825.00	Continued document review [5.5].
1945	11/08/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review proposal re contact w/ Mountain Law current client (.25); E-mail team re same (.25).
1946	11/08/12	Fisher	0.40	\$ 330.00	\$ 132.00	Draft letter to J. Murphy regarding production;
1947	11/09/12	Boschen	2.30	\$ 150.00	\$ 345.00	Continued work on document review [2.3].
1948	11/09/12	Marshall	0.20	\$ 375.00	\$ 75.00	Reviewed order compelling documents from Mountain Law and analyzed issues regarding same [.2].
1949	11/09/12	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review/analyze def. reply re motion to continue discovery deadline.
1950	11/09/12	Fisher	0.90	\$ 330.00	\$ 297.00	Edit and send letter to J. Murphy regarding production of non-privileged documents;
1951	11/12/12	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on discovery and witness issues [.1]; telephone conference with co-counsel regarding same [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1952	11/12/12	Zuchetto	0.75	\$ 330.00	\$ 247.50	Review Court's order re Mountain Law motion (.25); discuss same w/ co-counsel (.5).
1953	11/12/12	Williams	6.00	\$ 580.00	\$ 3,480.00	Review court order compelling Mountain Law's production of documents in response to subpoena; continue review of E. Stendal deposition transcript and identification of trial testimony; continue creating timeline of key events and documents;
1954	11/13/12	Boschen	5.90	\$ 150.00	\$ 885.00	Continued document review [5.9].
1955	11/13/12	Marshall	0.50	\$ 375.00	\$ 187.50	Analyzed issues regarding class counsel's ability to communicate with clients who are currently represented by public defense attorneys in Mount Vernon and Burlington and email correspondence with co-counsel regarding same [.3]; analyzed issues regarding injunctive relief and standards for showing mootness [.2].
1956	11/13/12	Fisher	1.10	\$ 330.00	\$ 363.00	Read team emails; draft and send team agenda for tomorrow's meeting; draft letter to A. Cooley rescheduling P. Hayden's deposition;
1957	11/14/12	Boschen	3.00	\$ 150.00	\$ 450.00	Continued document review [2.6]; prepared transcripts for deposition notebooks [.4];
1958	11/14/12	Marshall	1.00	\$ 375.00	\$ 375.00	Prepared for and participated in weekly conference call with co-counsel regarding various case strategy, expert, and discovery issues [.9]; telephone conference with co-counsel regarding same [.1].
1959	11/14/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	team meeting re litigation strategy and case status.
1960	11/14/12	Fisher	1.20	\$ 330.00	\$ 396.00	Update and send agenda; participate in team meeting; draft letter to A. Cooley regarding P. Hayden as an untimely disclosure;
1961	11/14/12	Williams	2.00	\$ 580.00	\$ 1,160.00	Prepare for team conference call; chair conference call with litigation team on strategy; review and edit letter to attorney for Cities advising that expert Hayden should be excluded because of untimely disclosure;
1962	11/15/12	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding late disclosure of expert testimony [.2].
1963	11/15/12	Fisher	0.30	\$ 330.00	\$ 99.00	Edit and send A. Cooley letter regarding P. Hayden;
1964	11/16/12	Zuchetto	0.30	\$ 330.00	\$ 99.00	review/edit letter to defense counsel re expert.
1965	11/16/12	Fisher	2.50	\$ 330.00	\$ 825.00	Draft letter to B. Authenthaler regarding P. Hayden as untimely disclosure; read depositions and work on case overview;
1966	11/19/12	Marshall	0.90	\$ 375.00	\$ 337.50	Worked on trial witness and discovery issues [.9].
1967	11/19/12	Zuchetto	1.50	\$ 330.00	\$ 495.00	Review recordings from court (.75); Discuss same w/ co-counsel (.25); Review/edit letter to def. counsel re expert disclosures (.5).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1968	11/19/12	Dunne	0.20	\$ 380.00	\$ 76.00	Email correspondence with co-counsel re discovery and experts and case strategy
1969	11/19/12	Roos	0.10	\$ 465.00	\$ 46.50	Review and comment on letter regarding expert depositions;
1970	11/19/12	Fisher	1.60	\$ 330.00	\$ 528.00	Edit letter regarding P. Hayden; read response from B. Augenthaler; discuss conflict counsel issue with N. Talner; listen to audio recordings of Burlington and Mount Vernon court hearings;
1971	11/19/12	Williams	1.40	\$ 580.00	\$ 812.00	Review and approve letters to and from counsel for Cities on expert Hayden's untimely disclosure and objections to same; continue review of E. Stendal deposition to identify testimony and exhibits;
1972	11/20/12	Boschen	0.20	\$ 150.00	\$ 30.00	Worked on production issues and correspondence regarding same [.2].
1973	11/20/12	Marshall	1.00	\$ 375.00	\$ 375.00	Worked on discovery and factual background research issues [1.0].
1974	11/20/12	Dunne	0.50	\$ 380.00	\$ 190.00	Meeting with N. Talner re expert witnesses
1975	11/20/12	Talner	2.50	\$ 400.00	\$ 1,000.00	Meet with Sarah to discuss expert witnesses; research re evidence needed for permanent injunction order
1976	11/20/12	Fisher	1.50	\$ 330.00	\$ 495.00	Research expert disclosure issue regarding P. Hayden; draft and send agenda; work on case overview;
1977	11/20/12	Williams	1.50	\$ 580.00	\$ 870.00	Continue selection of potential testimony for trial and creation of trial timeline;
1978	11/21/12	Boschen	0.90	\$ 150.00	\$ 135.00	Case status conference call [.9].
1979	11/21/12	Marshall	0.90	\$ 375.00	\$ 337.50	Prepared for and participated in weekly conference call with co-counsel [.9].
1980	11/21/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Team meeting re case strategy/status.
1981	11/21/12	Talner	1.80	\$ 400.00	\$ 720.00	Conference call with co-counsel to discuss case strategy re discovery and expert witnesses, continue reviewing deposition transcripts and preparing outline of evidence relevant to expert witnesses
1982	11/21/12	Fisher	6.00	\$ 330.00	\$ 1,980.00	Edit agenda; participate in weekly team meeting; edit and send letter regarding P. Hayden's and J. Ladenburg's depositions; research expert disclosure issue; review M. Witt's production
1983	11/21/12	Williams	3.50	\$ 580.00	\$ 2,030.00	Prepare for and chair weekly litigation team conference call; continue creating timeline of key events and documents; continue identifying Stendal trial testimony and exhibits;
1984	11/23/12	Talner	3.50	\$ 400.00	\$ 1,400.00	Review deposition transcripts and documents from supplemental production and continue outline of evidence relevant to expert witnesses
1985	11/26/12	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on discovery and expert issues and email correspondence with co-counsel regarding same [.4].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
1986	11/26/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence with co-counsel re discovery issues
1987	11/26/12	Williams	5.50	\$ 580.00	\$ 3,190.00	Review letter from A. Cooley on plaintiffs' depositions exceeding ten allowed by federal rules and coordinate with C. Fisher on response; continue selection of Stendal trial testimony and exhibits; coordinate with ACLU on J. Strait writings; begin review of Feldman declarations and reports for expert deposition;
1988	11/27/12	Boschen	1.30	\$ 150.00	\$ 195.00	Correspondence regarding experts and production [.2]; continued document review [1.1].
1989	11/27/12	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on witness disclosure issue [.1]; worked on discovery and expert issues and email correspondence with co-counsel regarding same [.2].
1990	11/27/12	Fisher	1.20	\$ 330.00	\$ 396.00	Draft memo regarding 10-deposition limit; discuss saving files to DMS with C. Kness; discuss M. Witt production with J. Higa;
1991	11/27/12	Williams	0.40	\$ 580.00	\$ 232.00	Review order from court denying Cities' request to extend discovery deadline and discuss implication with team;
1992	11/28/12	Boschen	4.90	\$ 150.00	\$ 735.00	Case status conference call [.6]; updated production log [.1]; correspondence regarding experts and production issues [.2]; reviewed deposition testimony for potential witnesses and commenced drafting third supplemental witness disclosures [3.7]; continued document review [.3].
1993	11/28/12	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on witness issues [.1]; analyzed issues regarding deposition strategy and experts [.2].
1994	11/28/12	Zuchetto	1.20	\$ 330.00	\$ 396.00	Team meeting re case status/strategy (.75); Discuss expert depositions w/ co-counsel (.25); Prepare e-mail to co-counsel re evidentiary issue (.2).
1995	11/28/12	Dunne	0.70	\$ 380.00	\$ 266.00	Conference call with co-counsel re case strategy and discovery
1996	11/28/12	Talner	1.40	\$ 400.00	\$ 560.00	Conference call with co-counsel to discuss case strategy re discovery and expert witnesses, compile documents for expert witness to review
1997	11/28/12	Roos	1.10	\$ 465.00	\$ 511.50	Telephone conference with team regarding ongoing discovery;
1998	11/29/12	Boschen	5.70	\$ 150.00	\$ 855.00	Worked on reviewing depositions and production for supplemental witness disclosures and correspondence regarding same [5.7].
1999	11/29/12	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on discovery issues and email correspondence with opposing counsel regarding same [.2].
2000	11/30/12	Boschen	4.30	\$ 150.00	\$ 645.00	Continued document review [4.3].
2001	11/30/12	Zuchetto	0.20	\$ 330.00	\$ 66.00	E-mail team re Feldman dep.
2002	11/30/12	Fisher	0.90	\$ 330.00	\$ 297.00	Read J. Aarstads deposition and create summary and expected testimony;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2003	12/03/12	Marshall	0.60	\$ 375.00	\$ 225.00	Telephone conference with co-counsel regarding discovery and case strategy issues [.6].
2004	12/03/12	Zuchetto	0.20	\$ 330.00	\$ 66.00	Discuss witness depositions w/ co-counsel.
2005	12/03/12	Fisher	2.70	\$ 330.00	\$ 891.00	Read and take notes from J.Aarstad's deposition; work on case overview; read and reply to team emails;
2006	12/04/12	Boschen	7.30	\$ 150.00	\$ 1,095.00	Correspondence regarding document production [.1]; continued document review [6.7]; drafted letter and prepared mailing to indigent defendant [.4]; worked on production issues [.1].
2007	12/04/12	Marshall	0.50	\$ 375.00	\$ 187.50	Analyzed issues regarding experts, factual background, and depositions and email correspondence with co-counsel regarding same [.5].
2008	12/04/12	Zuchetto	1.95	\$ 330.00	\$ 643.50	E-mail team re Feldman's deposition (.5); Discuss same w/ co-counsel (.25); Discuss evidentiary issue w/ co-counsel (.2); Review docs/research re same (.5); Call back CM re status update (.25); Work on expert supplement re supplement discovery and e-mail co-counsel re same (.25).
2009	12/04/12	Dunne	0.50	\$ 380.00	\$ 190.00	Conference call with co-counsel re case strategy, experts, and discovery
2010	12/04/12	Fisher	1.50	\$ 330.00	\$ 495.00	Read L. Alvarez's deposition and draft summary of deposition and expected testimony; draft and send agenda for weekly meeting; read S. Svaren's deposition and create summary of deposition and expected testimony;
2011	12/05/12	Boschen	7.00	\$ 150.00	\$ 1,050.00	Continued document review [5.8]; case status conference call and personal conference regarding same [1.0]; correspondence regarding witness disclosures [.1]; correspondence regarding production [.1].
2012	12/05/12	Marshall	1.50	\$ 375.00	\$ 562.50	Prepared for and participated in weekly call with co-counsel and analyzed issues regarding experts and discovery [1.0]; worked on witness disclosure and discovery issues and email correspondence with co-counsel regarding same [.5].
2013	12/05/12	Zuchetto	1.00	\$ 330.00	\$ 330.00	Team meeting re litigation strategy/status.
2014	12/05/12	Dunne	0.40	\$ 380.00	\$ 152.00	Conference call with J. Strait re his health and expert declaration
2015	12/05/12	Roos	1.10	\$ 465.00	\$ 511.50	Telephone conference with team regarding ongoing discovery;
2016	12/05/12	Fisher	1.80	\$ 330.00	\$ 594.00	Read and summarize S. Skelton's deposition; participate in team call; discuss expert documents and M. Witt's production with N. Talner and the possibility of asking M. Witt whether he produced everything or if documents, such as plea statements, are missing; compose index of M. Witt's case files;
2017	12/06/12	Boschen	4.10	\$ 150.00	\$ 615.00	Continued document review [3.2]; worked on document production and correspondence regarding same [.9].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2018	12/06/12	Marshall	0.70	\$ 375.00	\$ 262.50	Telephone call from co-counsel regarding case strategy issues, experts, and depositions [.5]; worked on same [.2].
2019	12/06/12	Dunne	0.30	\$ 380.00	\$ 114.00	Conference call with J. Williams and C. Fisher re case; email correspondence with co-counsel re depositions
2020	12/06/12	Roos	0.20	\$ 465.00	\$ 93.00	Review and comment regarding letter addressing expert depositions;
2021	12/06/12	Williams	2.50	\$ 580.00	\$ 1,450.00	Continue creating expert witness deposition outline for James A. Feldman;
2022	12/06/12	Fisher	3.40	\$ 330.00	\$ 1,122.00	Discuss P. Hayden, J. Ladenburg, and D. Svaren's depositions with J. Williams; T. Marshall and S. Dunne; draft letter to J. Murphy regarding case files and calendar meetings; draft letter to A. Cooley regarding depositions; review discovery issues;
2023	12/07/12	Boschen	6.20	\$ 150.00	\$ 930.00	Telephone conference with potential witness [.3]; continued work on document review [4.6]; worked on production issues and correspondence regarding same [1.3].
2024	12/07/12	Marshall	1.00	\$ 375.00	\$ 375.00	Telephone conference with co-counsel regarding factual background issues [1.0].
2025	12/07/12	Zuchetto	2.00	\$ 330.00	\$ 660.00	Review expert docs. re Chris Jackson (1.5); Discuss same w/ co-counsel (.5).
2026	12/07/12	Talner	1.20	\$ 400.00	\$ 480.00	Teleconference with co-counsel to discuss expert witness, emails to co-counsel re discovery issues
2027	12/07/12	Williams	4.00	\$ 580.00	\$ 2,320.00	Coordinate with C. Fisher on correspondence to A. Cooley regarding expert depositions; continue developing outline of expert deposition examination for James A. Feldman;
2028	12/07/12	Fisher	0.50	\$ 330.00	\$ 165.00	Edit letter to A. Cooley regarding depositions; edit letter to J. Murphy regarding M. Witt's case files and calendars; read team emails regarding discovery and documents to be sent to experts;
2029	12/10/12	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on discovery, expert, and witness issues and email correspondence with co-counsel regarding same [.4].
2030	12/10/12	Zuchetto	0.50	\$ 330.00	\$ 165.00	Respond to inquiry re co-counsel.
2031	12/10/12	Talner	0.90	\$ 400.00	\$ 360.00	Review documents newly produced by Mountain Law
2032	12/10/12	Williams	4.00	\$ 580.00	\$ 2,320.00	Meet with C. Fisher on scheduling of expert depositions; conference calls with T. Marshall and S. Dunne on expert witness depositions; coordinate with C. Fisher on letter to counsel for Cities on expert depositions; continue review of Feldman records in anticipation of Feldman deposition; review prior declarations of Strait, Jackson, and Boerner in preparation for Feldman deposition;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2033	12/11/12	Boschen	3.40	\$ 150.00	\$ 510.00	Worked on production issues and correspondence regarding same [.4]; continued document review [3].
2034	12/11/12	Marshall	1.40	\$ 375.00	\$ 525.00	Reviewed recent productions by Cities and Mountain Law and analyzed issues regarding same [.8]; worked on expert issues and email correspondence with co-counsel regarding same [.6].
2035	12/11/12	Dunne	0.20	\$ 380.00	\$ 76.00	Review and revise witness disclosure list
2036	12/11/12	Talner	1.30	\$ 400.00	\$ 520.00	Teleconference with expert witness to discuss discovery documents, emails with co-counsel re reviewing newly produced documents from Mountain Law
2037	12/11/12	Williams	1.50	\$ 580.00	\$ 870.00	Continue creating expert witness examination outline for James Feldman deposition;
2038	12/12/12	Boschen	4.00	\$ 150.00	\$ 600.00	Case status conference call [.5]; continued work on document review [2.1]; worked on witness disclosures [1]; correspondence with Mr. Gipe regarding production [.1]; worked on production issues [.3].
2039	12/12/12	Marshall	0.70	\$ 375.00	\$ 262.50	Prepared for and participated in weekly conference call with co-counsel [.6]; worked on discovery issues [.1].
2040	12/12/12	Roos	0.60	\$ 465.00	\$ 279.00	Telephone conference with team regarding discovery issues;
2041	12/12/12	Williams	0.80	\$ 580.00	\$ 464.00	Preparation for and chair litigation team conference call;
2042	12/13/12	Boschen	1.30	\$ 150.00	\$ 195.00	Continued work on document review [.5]; worked on witness disclosures [.7]; correspondence with all counsel regarding same [.1];
2043	12/13/12	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on witness disclosure issues [.3].
2044	12/13/12	Williams	1.50	\$ 580.00	\$ 870.00	Prepare outline and organize exhibits for expert witness deposition of James Feldman;
2045	12/14/12	Boschen	3.80	\$ 150.00	\$ 570.00	Continued work on document review [3.2]; telephone conference with Mr. Gipe regarding production issues [.2]; drafted and finalized letter regarding same [.4].
2046	12/14/12	Williams	6.50	\$ 580.00	\$ 3,770.00	Prepare for and take expert deposition of James Feldman;
2047	12/17/12	Fisher	0.90	\$ 330.00	\$ 297.00	Call W. Honea to tell him that we are cancelling D. Svaren's deposition; write and send follow-up letter to W. Honea regarding cancelling deposition; discuss depositions with M. Walsh;
2048	12/18/12	Boschen	11.10	\$ 150.00	\$ 1,665.00	Continued document review [10.3]; worked on production issues and correspondence regarding same [.8];
2049	12/18/12	Fisher	0.90		\$ -	Sort out discovery document issues; draft and send meeting agenda;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2050	12/19/12	Boschen	6.90	\$ 150.00	\$ 1,035.00	Continued document review [6.2]; correspondence regarding witness disclosures and production issues [.2]; case status conference call [.5];
2051	12/19/12	Zuchetto	1.25	\$ 330.00	\$ 412.50	Team call re strategy/status (1.0); E-mail co-counsel re same (.25).
2052	12/19/12	Williams	0.80	\$ 580.00	\$ 464.00	Prepare for and preside over litigation team conference call on strategy; review and approve letter to attorney for Cities on expert witness report;
2053	12/19/12	Fisher	1.40	\$ 330.00	\$ 462.00	Participate in team call; draft letter to A. Cooley regarding C. Jackson's supplemental expert report; gather information for J. Ladenburg's subpoena;
2054	12/19/12	Roos	0.60	\$ 465.00	\$ 279.00	Telephone conference with team regarding discovery issues;
2055	12/20/12	Boschen	5.60	\$ 150.00	\$ 840.00	Continued document review [2]; worked on production issues and correspondence and personal conference regarding same [3.6].
2056	12/20/12	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on discovery and expert issues [.3].
2057	12/20/12	Fisher	0.90	\$ 330.00	\$ 297.00	Coordinate subpoena, notice of deposition, and letter to A. Cooley regarding C. Jackson's supplemental report; edit subpoena and notice of depositions; read email from A. Gipe about production issues;
2058	12/21/12	Boschen	2.10	\$ 150.00	\$ 315.00	Continued document review [2.1].
2059	12/21/12	Marshall	0.80	\$ 375.00	\$ 300.00	Worked on discovery and case strategy issues [.8].
2060	12/21/12	Zuchetto	2.00	\$ 330.00	\$ 660.00	Review new contract re pd services (1.0); Discuss same w/ co-counsel (.25); Review supplemental discovery (.75).
2061	12/21/12	Williams	0.30	\$ 580.00	\$ 174.00	Review letter from counsel for Cities on expert discovery issues;
2062	12/21/12	Fisher	0.20	\$ 330.00	\$ 66.00	Read letter from A. Cooley regarding C. Jackson's supplemental expert report; read N. Talner's email regarding court files; send email to team regarding supplemental expert report position;
2063	12/26/12	Boschen	9.20	\$ 150.00	\$ 1,380.00	Drafted, finalized, emailed, mailed and messengered subpoena and notice of deposition regarding Pat Hayden [.5]; continued document review [8.7].
2064	12/26/12	Marshall	0.70	\$ 375.00	\$ 262.50	Researched and analyzed issues regarding expert disclosures and factual background issues and telephone conference and email correspondence with co-counsel regarding same [.7].
2065	12/26/12	Zuchetto	1.50	\$ 330.00	\$ 495.00	Review def. counsel correspondence re complaint system, e-mail team and discuss same w/ co-counsel.
2066	12/27/12	Boschen	6.40	\$ 150.00	\$ 960.00	Continued document review [5.9]; worked on production issues and correspondence regarding same [.5].
2067	12/27/12	Dunne	0.30	\$ 380.00	\$ 114.00	Conference call with J. Strait re his health and supplemental expert report
2068	12/28/12	Boschen	5.60	\$ 150.00	\$ 840.00	Drafted and finalized public disclosure requests to municipal courts [.2]; continued work on document review [5.4].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2069	12/28/12	Marshall	0.60	\$ 375.00	\$ 225.00	Worked on discovery issues and analysis of court files needed for deposition of Mountain Law [.5]; email correspondence with co-counsel regarding same [.1].
2070	12/28/12	Talner	2.60	\$ 400.00	\$ 1,040.00	Discuss discovery issues with Sarah Dunne, discuss documents reviewed and documents needed with expert witness, review Mountain Law attorney files and draft list of court files needed
2071	12/31/12	Dunne	0.10	\$ 380.00	\$ 38.00	Email correspondence from attorney witness who now represents former client of Witt
2072	01/02/13	Boschen	1.10	\$ 150.00	\$ 165.00	Case status conference call [.8]; correspondence regarding public records requests [.1]; worked on production issues and correspondence regarding same [.2];
2073	01/02/13	Marshall	1.10	\$ 375.00	\$ 412.50	Prepared for and participated in weekly strategy call with co-counsel [.9]; worked on outline for deposition of Mountain Law and reviewed documents in preparation for same [.1]; email correspondence with co-counsel regarding factual background issues related to Mountain Law [.1].
2074	01/02/13	Talner	1.50	\$ 400.00	\$ 600.00	Conference call with co-counsel to discuss case strategy; research Mountain law attorneys, continue outline of points to cover in Mountain Law deposition
2075	01/03/13	Boschen	4.50	\$ 150.00	\$ 675.00	Worked on deposition preparation; personal conferences and correspondence regarding same; worked on document review.
2076	01/03/13	Marshall	1.90	\$ 375.00	\$ 712.50	Email correspondence with co-counsel regarding case strategy issues [.2]; prepared for deposition of Mountain Law, worked on outline for same, and reviewed documents for same [1.7].
2077	01/03/13	Fisher	0.10	\$ 330.00	\$ 33.00	Discuss deposition schedule with J. Boschen;
2078	01/04/13	Boschen	5.90	\$ 150.00	\$ 885.00	Continued document review and deposition preparation [5.9].
2079	01/04/13	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on preparations for deposition of Mountain Law [.2].
2080	01/04/13	Talner	1.50	\$ 400.00	\$ 600.00	Review draft letter to opposing counsel re supplementing expert reports; finish outline of questions for Mountain Law deposition
2081	01/07/13	Boschen	8.20	\$ 150.00	\$ 1,230.00	Worked on document review and deposition preparation for Hayden and Laws depositions [8.2].
2082	01/07/13	Marshall	2.00	\$ 375.00	\$ 750.00	Worked on preparation for mountain law deposition and telephone conference and email correspondence with co-counsel regarding same [2.0].
2083	01/07/13	Zuchetto	1.00	\$ 330.00	\$ 330.00	Discuss 30b6 dep. prep./case strategy w/ co-counsel (.75); Review e-mails re pd performance (.25).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2084	01/07/13	Talner	3.50	\$ 400.00	\$ 1,400.00	Teleconference with co-counsel and research documents to prepare for Mountain Law deposition; review court files and summarize for Mountain Law deposition; research potential additional witnesses
2085	01/08/13	Boschen	4.20	\$ 150.00	\$ 630.00	Continued document review and deposition preparation [4.1]; downloaded and filed expert production[.1].
2086	01/08/13	Marshall	5.80	\$ 375.00	\$ 2,175.00	Worked on preparations for deposition of Mountain Law [5.8].
2087	01/08/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Discuss 30b6 depo. w/ co-counsel re preparation for same (.5); Research re same (.75).
2088	01/08/13	Talner	2.50	\$ 400.00	\$ 1,000.00	Email expert witness about cities' request to take her deposition; review newly provided full case files from Mountain Law and newly provided court files; emails with co-counsel to prepare for Mountain Law and expert depositions
2089	01/08/13	Williams	0.60	\$ 580.00	\$ 348.00	Exchange emails with litigation team on setting Chris Jackson deposition; coordinate with Chris Jackson and N. Talner on deposition preparation for Chris Jackson;
2090	01/09/13	Haynes	9.10	\$ 190.00	\$ 1,729.00	Performed interviews at Skagit County Jail [9.1].
2091	01/09/13	Boschen	7.90	\$ 150.00	\$ 1,185.00	Continued document review and deposition preparation[7.5]; case status conference call [.4].
2092	01/09/13	Marshall	7.90	\$ 375.00	\$ 2,962.50	Worked on preparation for deposition of Mountain Law and reviewed documents for same [7.5]; weekly telephone conference with co-counsel [.4].
2093	01/09/13	Zuchetto	2.50	\$ 330.00	\$ 825.00	Litigation/strategy call (1.0); Review/analyze recent SCOTUS case re mootness/voluntary cessation and e-mail co-counsel re same (.5); Review/edit dep. outline re Mountain Law (.75); Review Burlington ordinance and e-mail co-counsel re same (.25).
2094	01/09/13	Talner	3.60	\$ 400.00	\$ 1,440.00	Interview potential witnesses
2095	01/09/13	Roos	2.10	\$ 465.00	\$ 976.50	Telephone conference with team regarding discovery issues; review documents for Rule 30(b)(6) deposition of Burlington;
2096	01/09/13	Williams	4.50	\$ 580.00	\$ 2,610.00	Review correspondence on discovery from opposing counsel; review email from M. Zuchetto on new U.S. Supreme Court mootness case; prepare for and chair litigation team conference call on strategy and depositions; begin creating Mt. Vernon 30(b)(6) deposition outline; meet with team to discuss set up of 30(b)(6) documents for review;
2097	01/10/13	Haynes	0.30	\$ 190.00	\$ 57.00	Email correspondence regarding jail visit [.3].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2098	01/10/13	Boschen	2.90	\$ 150.00	\$ 435.00	Correspondence regarding witness interviews [.1]; worked on production and clawback issues and personal conferences and correspondence regarding same [1.1]; continued preparation for Hayden deposition [1.7].
2099	01/10/13	Marshall	11.30	\$ 375.00	\$ 4,237.50	Prepared for, traveled to, took, and returned from deposition of Mountain Law [10.6]; analyzed issues regarding same [.7].
2100	01/10/13	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review/analyze co-counsel notes re jail visits and e-mail re same.
2101	01/10/13	Talner	1.20	\$ 400.00	\$ 480.00	Emails with co-counsel re expert witness subpoena, summarize witness interviews
2102	01/10/13	Roos	2.80	\$ 465.00	\$ 1,302.00	Prepare for Rule 30(b)(6) deposition of Burlington, including review of documents relating to same;
2103	01/10/13	Fisher	0.30	\$ 330.00	\$ 99.00	Review emails and rules regarding objections to C. Jackson's subpoena;
2104	01/10/13	Williams	2.50	\$ 580.00	\$ 1,450.00	Continue drafting outline for Mt. Vernon 30(b)(6) deposition; exchange emails with paralegal on assembling documents;
2105	01/11/13	Marshall	2.80	\$ 375.00	\$ 1,050.00	Analyzed issues regarding Mountain Law deposition and drafted memorandum to co-counsel regarding same [.8]; analyzed issues regarding ordering of expedited transcript and email correspondence with court reporter regarding same [.1]; email correspondence with opposing counsel regarding counsel's alleged production of work product [.1]; telephone call from co-counsel regarding supplementation of expert report [.3]; analyzed issues regarding same [.3]; worked on outline for deposition of Mount Vernon [1.2].
2106	01/11/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review co-counsel summary re Mountain Law deposition.
2107	01/11/13	Roos	2.10	\$ 465.00	\$ 976.50	Prepare for Rule 30(b)(6) deposition of Burlington, including review of documents and drafting outline;
2108	01/11/13	Williams	3.50	\$ 580.00	\$ 2,030.00	Review summary of Mountain Law deposition; review correspondence from attorney for Cities on claw back of privileged materials; continue drafting outline for 30(b)(6) deposition of Mt. Vernon and coordinate same with T. Marshall and B. Roos;
2109	01/12/13	Marshall	0.10	\$ 375.00	\$ 37.50	Analyzed issues regarding recent jail interviews and email correspondence with co-counsel regarding same [.1].
2110	01/13/13	Roos	2.10	\$ 465.00	\$ 976.50	Review documents for Rule 30(b)(6) deposition;
2111	01/13/13	Williams	2.00	\$ 580.00	\$ 1,160.00	Continue drafting outline of questions and selection of exhibits for Mt. Vernon 30(b)(6) deposition;

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1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2112	01/14/13	Marshall	1.10	\$ 375.00	\$ 412.50	Worked on SDT to Mr. Powers, investigator for Mountain Law, and analyzed issues regarding same [.3]; researched and analyzed issues regarding Mr. Hayden in preparation for deposition [.2]; reviewed documents and worked on outline for same [.1]; worked on preparations for Mount Vernon 30(b)(6) deposition and email correspondence with co-counsel regarding same [.4]; email to opposing counsel regarding issue with inadvertently disclosed document [.1].
2113	01/14/13	Zuchetto	0.55	\$ 330.00	\$ 181.50	Discuss Hayden dep. w/ co-counsel (.25); Review e-mails/outline re Mt. Vernon deposition (.3).
2114	01/14/13	Dunne	0.10	\$ 380.00	\$ 38.00	Correspondence with co-counsel re expert witness subpoena
2115	01/14/13	Williams	3.50	\$ 580.00	\$ 2,030.00	Continue to identify exhibits and draft questions for Mt. Vernon 30(b)(6) deposition outline;
2116	01/14/13	Roos	3.10	\$ 465.00	\$ 1,441.50	Prepare for Rule 30(b)(6) deposition of Burlington, including review of documents and drafting outline;
2117	01/15/13	Nusser	1.50	\$ 225.00	\$ 337.50	Researched waiver of the attorney-client privilege where attorney plans to testify at trial [1.5].
2118	01/15/13	Marshall	4.90	\$ 375.00	\$ 1,837.50	Worked on SDT to Mr. Powers, who provides investigative services to Mountain Law [.2]; worked on SDT to Mountain Law for case reports [.2]; worked on PRA request to Everett for complaints against Baker Lewis attorneys [.1]; reviewed documents in preparation for deposition of Mr. Hayden and worked on outline for same [3.5]; worked on outline for deposition of Burlington and email correspondence with co-counsel regarding same [.3]; telephone conference with co-counsel regarding opposing counsel's use of script with witness at deposition and researched and analyzed issues regarding same [.4]; analyzed issues regarding inadvertently disclosed document and email correspondence with opposing counsel regarding same [.2].
2119	01/15/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Review summary re Mt. Vernon deposition (.25); Discuss Mt. B. dep. w/ co-counsel (.25); Research re dep. witness (.5); Research re privilege and e-mail co-counsel re same (.25).
2120	01/15/13	Roos	4.90	\$ 465.00	\$ 2,278.50	Prepare for deposition of Burlington, including drafting outline regarding same; conduct legal research regarding use of script at deposition;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2121	01/15/13	Williams	9.50	\$ 580.00	\$ 5,510.00	Prepare for, travel to, and take 30(b)(6) deposition of City of Mt. Vernon in Mt. Vernon; draft summary of key points from deposition; review with B. Roos and C. Fisher strategy for addressing use of script at 30(b)(6) deposition;
2122	01/16/13	Nusser	3.00	\$ 225.00	\$ 675.00	Researched waiver of the attorney-client privilege where attorney plans to testify at trial [3]
2123	01/16/13	Marshall	8.20	\$ 375.00	\$ 3,075.00	Reviewed documents in preparation for deposition of Mr. Hayden and worked on outline of same [7.2]; prepared for and participated in weekly conference call with co-counsel [.9]; reviewed memorandum regarding waiver of attorney-client privilege and work product for attorneys identified as witnesses for trial [.1].
2124	01/16/13	Zuchetto	1.40	\$ 330.00	\$ 462.00	Team call re litigation strategy (.9); Review e-mail from co-counsel re potential witness (.5).
2125	01/16/13	Roos	10.20	\$ 465.00	\$ 4,743.00	Attend and take deposition of Burlington in Mount Vernon, Washington; prepare for same; conferences with C. Fisher and J. Williams regarding same; draft summary of same;
2126	01/16/13	Fisher	9.00	\$ 330.00	\$ 2,970.00	Attend deposition of B. Harrison on behalf of Burlington;
2127	01/17/13	Marshall	8.90	\$ 375.00	\$ 3,337.50	Prepared for, traveled to, took, and returned from deposition of Mr. Hayden [7.9]; telephone conference with co-counsel regarding same [.2]; drafted memorandum to co-counsel regarding same [.8].
2128	01/17/13	Zuchetto	3.00	\$ 330.00	\$ 990.00	Review/analyze 30b6 dep. summary (.5); Review/analyze Hayden dep. summary and discuss same w/ co-counsel (.75); Review/summarize current cm issues and e-mail team re same (1.75).
2129	01/17/13	Talner	0.90	\$ 400.00	\$ 360.00	additional preparation re addition to witness list, teleconference with expert witness re responding to deposition subpoena
2130	01/17/13	Williams	1.50	\$ 580.00	\$ 870.00	Review email from B. Roos and T. Marshall on deposition results; conference call with ACLU on Chris Jackson production of documents;
2131	01/18/13	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on discovery and case strategy issues [.3].
2132	01/18/13	Talner	0.40	\$ 400.00	\$ 160.00	Emails with co-counsel and teleconference with expert witness re responding to deposition subpoena
2133	01/20/13	Marshall	3.50	\$ 375.00	\$ 1,312.50	Reviewed transcript from Mountain Law deposition and worked on expert issues in relation to same.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2134	01/21/13	Marshall	1.20	\$ 375.00	\$ 450.00	Reviewed transcript from Mountain Law deposition and email correspondence with Ms. Jackson and co-counsel regarding same and expert issues.
2135	01/21/13	Talner	0.70	\$ 400.00	\$ 280.00	Correspondence with expert witness re rescheduled deposition and send expert documents for her review
2136	01/22/13	Boschen	3.30	\$ 150.00	\$ 495.00	Worked on preparing documents for expert report [.2]; reviewed Hayden deposition summary [.1]; reviewed witness interview summary [.1]; worked on document production and witness issues [2.9].
2137	01/22/13	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on case strategy issues [.3].
2138	01/22/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	Discuss expert declaration and witness interview w/ co-counsel.
2139	01/22/13	Talner	1.80	\$ 400.00	\$ 720.00	Gather documents for expert witness, investigate potential witnesses, review draft expert supplemental report
2140	01/23/13	Kinsey	0.80	\$ 100.00	\$ 80.00	Prepared draft of and finalized stipulation and proposed order extending Mountain Law deposition deadline; arranged filing and service; email correspondence to chambers.
2141	01/23/13	Boschen	3.50	\$ 150.00	\$ 525.00	Case status conference call [.8]; worked on document production [.9]; worked on preparing documents related to expert report [1.8].
2142	01/23/13	Marshall	3.40	\$ 375.00	\$ 1,275.00	Worked on expert issues [.2]; worked on deposition scheduling issues and stipulation regarding same [.4]; telephone conferences with opposing counsel and court regarding same [.3]; worked on supplemental declaration of Ms. Jackson [2.5].
2143	01/23/13	Zuchetto	4.90	\$ 330.00	\$ 1,617.00	Review/edit Chris Jackson declaration (3.0); Discuss same w/ co-counsel (1.0); Team meeting re litigation status/strategy (.9).
2144	01/23/13	Talner	1.90	\$ 400.00	\$ 760.00	Conference call with co-counsel to discuss case strategy, finalize collection of documents responding to expert deposition subpoena
2145	01/23/13	Williams	2.00	\$ 580.00	\$ 1,160.00	Prepare for and chair meeting of litigation team on strategy, upcoming depositions and outstanding discovery; coordinate with N. Talner of ACLU on production of documents for C. Jackson deposition;
2146	01/24/13	Kinsey	0.80	\$ 100.00	\$ 80.00	Reviewed and revised Christine Jackson declaration; email correspondence to and from Ms. Jackson regarding same.
2147	01/24/13	Boschen	5.10	\$ 150.00	\$ 765.00	Prepared exhibits for expert report; telephone conferences and correspondence regarding same.
2148	01/24/13	Marshall	3.10	\$ 375.00	\$ 1,162.50	Worked on Ms. Jackson's second supplemental expert declaration and researched and analyzed issues regarding same [3.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2149	01/24/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review/edit Chris Jackson declaration.
2150	01/24/13	Williams	5.50	\$ 580.00	\$ 3,190.00	Begin creating Christine Jackson deposition preparation outline and review of Jackson declarations; begin creating deposition outline for Cities expert John Ladenburg and review of Ladenburg expert opinions;
2151	01/24/13	Roos	0.50	\$ 465.00	\$ 232.50	Conference with D. Steele regarding mootness issue for anticipated summary judgment motion; review documents regarding same;
2152	01/25/13	Haynes	1.50	\$ 190.00	\$ 285.00	Telephone call to witness [.6]; email correspondence regarding potential witness [.9].
2153	01/25/13	Boschen	1.80	\$ 150.00	\$ 270.00	Worked on deposition issues [.1]; finalized expert report and supporting documents [1.1]; telephone conference regarding same [.6].
2154	01/25/13	Marshall	1.30	\$ 375.00	\$ 487.50	Worked on expert and discovery issues [.3]; telephone call from Ms. Jackson regarding revisions to supplemental declaration and factual background issues [1.0].
2155	01/25/13	Zuchetto	1.75	\$ 330.00	\$ 577.50	Call w/ expert re declaration and review/edit same (1.25); E-mail co-counsel re expert declaration (.1); Review/analyze co-counsel e-mail re additional witness and respond to same (.4).
2156	01/25/13	Roos	0.70	\$ 465.00	\$ 325.50	Revise letter to A. Cooley regarding use of notes at deposition; review C. Jackson documents for privilege;
2157	01/25/13	Williams	2.00	\$ 580.00	\$ 1,160.00	Continue editing Chris Jackson deposition preparation outline; continue creating deposition outline for J. Ladenburg;
2158	01/26/13	Williams	3.20	\$ 580.00	\$ 1,856.00	Prepare for meeting with C. Jackson; meet with C. Jackson and B. Roos for Jackson expert witness preparation;
2159	01/26/13	Roos	3.00	\$ 465.00	\$ 1,395.00	Conference with J. Williams and C. Jackson regarding deposition preparation;
2160	01/27/13	Marshall	0.20	\$ 375.00	\$ 75.00	Worked on case management and discovery issues [.2].
2161	01/27/13	Williams	1.80	\$ 580.00	\$ 1,044.00	Continue creating examination outline for Cities' expert John Ladenburg;
2162	01/28/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review Jackson dep. preparation notes and e-mail co-counsel re same.
2163	01/28/13	Williams	4.50	\$ 580.00	\$ 2,610.00	Continue preparation for Ladenburg expert witness deposition outline and selection of deposition exhibits;
2164	01/29/13	Boschen	0.20	\$ 150.00	\$ 30.00	Downloaded document production; updated production log.
2165	01/29/13	Marshall	0.30	\$ 375.00	\$ 112.50	Reviewed Mountain Law's response to third subpoena and analyzed issues regarding same [.3].
2166	01/29/13	Williams	6.00	\$ 580.00	\$ 3,480.00	Continue editing Ladenburg deposition outline and selection of deposition exhibits; take deposition of City expert John Ladenburg;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2167	01/30/13	Boschen	2.30	\$ 150.00	\$ 345.00	Worked on document review and productions; correspondence regarding same.
2168	01/30/13	Marshall	1.30	\$ 375.00	\$ 487.50	Worked on witness disclosure issues [.1]; participated in weekly conference call with co-counsel and worked on case strategy issues [.7]; worked on issues regarding motion for summary judgment [.1]; worked on privilege log for expert communications [.4].
2169	01/30/13	Zuchetto	1.75	\$ 330.00	\$ 577.50	Team meeting re litigation strategy/status (1.0); Review draft privilege log and e-mail co-counsel re same (.75).
2170	01/30/13	Dunne	0.90	\$ 380.00	\$ 342.00	Conference call with co-counsel re case strategy; revise privilege log for Jackson deposition; conference call with J. Strait re supplemental report
2171	01/30/13	Fisher	0.70	\$ 330.00	\$ 231.00	Participate in weekly team meeting;
2172	01/30/13	Roos	0.70	\$ 465.00	\$ 325.50	Telephone conference with team regarding discovery issues and summary judgment; review and communications regarding privilege log;
2173	01/30/13	Williams	4.00	\$ 580.00	\$ 2,320.00	Prepare overview of Ladenburg deposition results; chair litigation team discussion of case strategy; continue developing case overview for trial and identification of final exhibits; finalize summary of Eric Stendal deposition testimony;
2174	01/31/13	Boschen	2.20	\$ 150.00	\$ 330.00	Worked on privilege log and production issues [.2]; telephone call to class member [.1]; worked on supplemental witness disclosures [1.1]; worked on production issues and correspondence regarding same [.8].
2175	01/31/13	Marshall	0.70	\$ 375.00	\$ 262.50	Analyzed issues regarding privilege log for expert communications and email correspondence with co-counsel regarding same [.2]; worked on discovery and expert issues [.4]; worked on witness disclosure supplementation [.1].
2176	01/31/13	Zuchetto	1.50	\$ 330.00	\$ 495.00	Review privilege log, research re same and e-mail co-counsel re same.
2177	01/31/13	Fisher	0.70	\$ 330.00	\$ 231.00	Save documents to DMS; discuss privilege issues with team; draft letter to A. Cooley making second attempt to schedule rule 37 conference to discuss scripted answers used during Rule 30(b)(6) depositions;
2178	01/31/13	Roos	0.20	\$ 465.00	\$ 93.00	Review letter to A. Cooley regarding meet and confer conference; communications regarding privilege logs;
2179	01/31/13	Williams	3.50	\$ 580.00	\$ 2,030.00	Review order from U.S. District Court extending Mountain Law deposition; review email exchange on discovery; review N. Talner email on most recent Supreme Court caselaw; review emails on production of Chris Jackson documents; review and approve letter to A. Cooley on 30(b)(6) deponents using scripted testimony;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2180	02/01/13	Boschen	1.70	\$ 150.00	\$ 255.00	Telephone call to class member [.1]; finalized witness disclosures [.6]; telephone conference and correspondence regarding expert reports [.2]; worked on production issues [.8].
2181	02/01/13	Dunne	0.30	\$ 380.00	\$ 114.00	Draft and revise letter to A. Cooley re Strait report
2182	02/01/13	Williams	5.50	\$ 580.00	\$ 3,190.00	Prepare for and defend deposition of Christine Jackson at Keating Bucklin;
2183	02/01/13	Roos	8.50	\$ 465.00	\$ 3,952.50	Attend and defend deposition of C. Jackson; conferences with J. Williams and C. Jackson regarding same; communications regarding summary of same;
2184	02/04/13	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding witness disclosures [.1]; worked on expert document issues and email correspondence with co-counsel regarding same [.1].
2185	02/04/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review/analyze summary of discovery supplements.
2186	02/04/13	Talner	1.10	\$ 400.00	\$ 440.00	Review cities' supplemental production and provide comments to co-counsel
2187	02/04/13	Roos	2.10	\$ 465.00	\$ 976.50	Follow up from C. Jackson deposition; revise letter to defense counsel regarding C. Jackson documents; conference with C. Fisher regarding summary judgment motion; review materials regarding same;
2188	02/04/13	Williams	1.50	\$ 580.00	\$ 870.00	Meet with B. Roos to discuss conclusion of Christine Jackson deposition; begin review and summary of Mt. Vernon 30(b)(6) deposition for trial preparation;
2189	02/05/13	Boschen	4.50	\$ 150.00	\$ 675.00	Telephone conference regarding production [.4]; downloaded, labeled and reviewed document productions [4.1].
2190	02/05/13	Marshall	3.00	\$ 375.00	\$ 1,125.00	Worked on strategy for and outline of summary judgment motion and telephone conferences with co-counsel regarding same [1.6]; reviewed transcript from deposition of Mr. Aarstad [1.4].
2191	02/05/13	Zuchetto	2.25	\$ 330.00	\$ 742.50	Review/edit outline re Motion for Summary Judgment (1.5); Discuss same w/ co-counsel (.75).
2192	02/05/13	Roos	2.20	\$ 465.00	\$ 1,023.00	Communications regarding summary judgment motion; research regarding permanent injunctive relief;
2193	02/05/13	Fisher	0.50	\$ 330.00	\$ 165.00	Draft and send T. Marshall, M. Zuchetto, and B. Roos email outlining summary judgment motion; save documents to DMS; draft and send weekly team agenda to team; meet with B. Roos to discuss summary judgment motion;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2194	02/05/13	Williams	2.20	\$ 580.00	\$ 1,276.00	Draft outline of expected trial testimony for Mt. Vernon 30(b)(6) testimony of Eric Stendal; begin review of expert James Feldman's deposition and identification of trial testimony;
2195	02/06/13	Boschen	1.50	\$ 150.00	\$ 225.00	Worked on document review and expert productions [.8]; correspondence regarding depositions and subpoenas [.1]; case status conference call [.6].
2196	02/06/13	Marshall	1.30	\$ 375.00	\$ 487.50	Participated in weekly call with co-counsel regarding factual background and case strategy issues [.7]; worked on preparation for continuation of Mountain Law deposition [.2]; reviewed documents for same [.3]; left message with Mr. Powers regarding failure to respond to subpoena duces tecum [.1].
2197	02/06/13	Zuchetto	1.15	\$ 330.00	\$ 379.50	Team meeting re litigation strategy (.9); Review fee payment info. re Mountain Law and discuss same w/ co-counsel (.25).
2198	02/06/13	Dunne	0.70	\$ 380.00	\$ 266.00	Meeting with co-counsel re case strategy
2199	02/06/13	Talner	1.50	\$ 400.00	\$ 600.00	Conference call with co-counsel re case strategy; review Mountain Law deposition transcript part 1 and send comments to co-counsel to prep for part 2 of Mountain Law deposition
2200	02/06/13	Roos	4.30	\$ 465.00	\$ 1,999.50	Telephone conference with team regarding discovery follow up and summary judgment motions; draft summary judgment motion; research regarding same;
2201	02/06/13	Williams	6.00	\$ 580.00	\$ 3,480.00	Continue drafting of trial examination outline for Cities' expert James Feldman; prepare for and chair litigation team strategy meeting;
2202	02/07/13	Boschen	3.20	\$ 150.00	\$ 480.00	Worked on document review and expert productions [3]; telephone conference and correspondence with vendor regarding document database [.2].
2203	02/07/13	Marshall	4.10	\$ 375.00	\$ 1,537.50	Prepared for second day of Mountain Law deposition and reviewed documents for same [4.1].
2204	02/07/13	Roos	1.90	\$ 465.00	\$ 883.50	Draft motion for summary judgment;
2205	02/07/13	Williams	3.50	\$ 580.00	\$ 2,030.00	Edit outline of expected trial testimony for Cities' expert Feldman; begin review of Richard Sybrandy deposition and creation of chronology of key events and documents list;
2206	02/08/13	Boschen	0.10	\$ 150.00	\$ 15.00	Downloaded and filed deposition transcripts [.1];
2207	02/08/13	Marshall	5.50	\$ 375.00	\$ 2,062.50	Traveled to and participated in deposition of Mountain Law [5.1]; analyzed issues regarding same [.4]. .
2208	02/08/13	Zuchetto	0.75	\$ 330.00	\$ 247.50	Review proposed order material.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2209	02/11/13	Marshall	0.10	\$ 375.00	\$ 37.50	Worked on factual background section for motion for summary judgment [.1].
2210	02/11/13	Zuchetto	4.10	\$ 330.00	\$ 1,353.00	Review/highlight R.Sybrandy deposition transcript re Summary Judgment Motion (3.1); Review material re relief request (1.0).
2211	02/11/13	Williams	2.70	\$ 580.00	\$ 1,566.00	Continue review of R. Sybrandy deposition and creation of chronology of key events and documents;
2212	02/12/13	Boschen	3.50	\$ 150.00	\$ 525.00	Correspondence regarding deposition testimony [.1]; worked on document review and expert production [3.3]; downloaded expert production [.1];
2213	02/12/13	Zuchetto	6.75	\$ 330.00	\$ 2,227.50	Analyze M. Witt deposition transcript re Summary Judgment Motion (4.75); Analyze R. Sybrandy dep. transcript re Summary Judgment Motion and e-mail co-counsel re same (1.0); Conference call re remedial relief request and prepare for same (1.0).
2214	02/12/13	Dunne	1.30	\$ 380.00	\$ 494.00	Conference call with N. Talner and M. Zuchetto re remedy; gather documents for J. Strait
2215	02/12/13	Talner	0.80	\$ 400.00	\$ 320.00	Discuss proposed relief order with co-counsel
2216	02/12/13	Williams	5.50	\$ 580.00	\$ 3,190.00	Continue review of Sybrandy deposition transcript to identify key admissions for case at trial and in draft opening statement;
2217	02/13/13	Boschen	1.20	\$ 150.00	\$ 180.00	Case status conference call [.3]; researched witness [.1]; worked on production issues [.7]; updated witness list [.1].
2218	02/13/13	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on discovery, case strategy, and summary judgment issues [.4].
2219	02/13/13	Zuchetto	4.70	\$ 330.00	\$ 1,551.00	Team call re litigation strategy/case status (.7); Analyze M. Witt deposition transcript re Summary Judgment Motion and e-mail co-counsel re same (4.0).
2220	02/13/13	Dunne	0.50	\$ 380.00	\$ 190.00	Conference call with co-counsel re case strategy
2221	02/13/13	Talner	0.50	\$ 400.00	\$ 200.00	Conference call with co-counsel re case strategy
2222	02/13/13	Roos	0.50	\$ 465.00	\$ 232.50	Telephone conference with team regarding summary judgment and injunctive relief;
2223	02/13/13	Fisher	2.60	\$ 330.00	\$ 858.00	Read letter from A. Cooley regarding scripted answers used during 30(b)(6) depositions and send to team; participate in weekly team meeting; research law for summary judgment motion;
2224	02/13/13	Williams	4.50	\$ 580.00	\$ 2,610.00	Begin review and analysis of Morgan Witt deposition and identification of testimony to support case theory; prepare for and chair litigation team conference call; review email correspondence on Cities' production of 30(b)(6) scripts;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2225	02/14/13	Boschen	0.90	\$ 150.00	\$ 135.00	Worked on expert production and correspondence regarding same [.4]; worked on document review [.1]; personal conferences regarding motion for summary judgment and trial preparation[.4].
2226	02/14/13	Marshall	6.20	\$ 375.00	\$ 2,325.00	Worked on factual background section of motion for summary judgment and reviewed documents for same [6.2].
2227	02/14/13	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review/analyze def. counsel deposition script and e-mail team re same (.5); Review and analyze expert issue re co-counsel update and draft e-mail re same (.5).
2228	02/14/13	Dunne	1.50	\$ 380.00	\$ 570.00	Meeting with J. Strait re expert report
2229	02/14/13	Williams	2.50	\$ 580.00	\$ 1,450.00	Continue review of Morgan Witt deposition and selection of testimony for case theory;
2230	02/15/13	Boschen	3.80	\$ 150.00	\$ 570.00	Printed all expert reports [.3]; telephone conference with client and correspondence regarding same [.3]; worked on preparing key case documents and testimony and personal conferences regarding same [.4]; downloaded production and updated production log [.2]; worked on document review [2.6].
2231	02/15/13	Marshall	2.90	\$ 375.00	\$ 1,087.50	Worked on factual background section of motion for summary judgment and researched and analyzed issues regarding same [2.9].
2232	02/15/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	Discuss Motion for Summary Judgment/strategy w/ co-counsel.
2233	02/15/13	Fisher	2.00	\$ 330.00	\$ 660.00	Draft summary judgment motion; read email on mootness;
2234	02/16/13	Marshall	6.50	\$ 375.00	\$ 2,437.50	Worked on factual background for motion for summary judgment and reviewed documents and deposition transcripts for same [6.5].
2235	02/17/13	Boschen	2.50	\$ 150.00	\$ 375.00	Worked on document review and correspondence regarding same [2.5].
2236	02/17/13	Marshall	10.40	\$ 375.00	\$ 3,900.00	Worked on factual background for motion for summary judgment and reviewed documents and deposition transcripts for same [10.4].
2237	02/18/13	Marshall	4.80	\$ 375.00	\$ 1,800.00	Worked on factual section of motion for summary judgment and reviewed documents, deposition transcripts, and declarations for same [4.8].
2238	02/19/13	Boschen	1.00	\$ 150.00	\$ 150.00	Continued document review [.9]; personal conference regarding same [.1].
2239	02/19/13	Marshall	8.30	\$ 375.00	\$ 3,112.50	Worked on factual section of motion for summary judgment and reviewed documents and deposition transcripts for same [8.3].
2240	02/19/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Review/edit fact section re Motion for Summary Judgment and e-mail co-counsel re same.
2241	02/19/13	Talner	2.50	\$ 400.00	\$ 1,000.00	Draft proposed remedial order
2242	02/19/13	Fisher	1.90	\$ 330.00	\$ 627.00	Draft summary judgment motion;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2243	02/19/13	Williams	4.50	\$ 580.00	\$ 2,610.00	Review Volume II of Morgan Witt deposition transcript to identify trial testimony; continue editing and updating case overview;
2244	02/20/13	Marshall	0.10	\$ 375.00	\$ 37.50	Analyzed issues regarding Mr. Powers's failure to respond to subpoena duces tecum [1].
2245	02/20/13	Zuchetto	4.00	\$ 330.00	\$ 1,320.00	Edit fact section re Summary Judgment Motion and e-mail co-counsel re same (2.75); Edit relief section re Summary Judgment Motion and e-mail co-counsel re same (1.25).
2246	02/20/13	Williams	4.50	\$ 580.00	\$ 2,610.00	Complete review and analysis of Morgan Witt Deposition Day #2; begin review and analysis of Cities' expert witness, J. Ladenburg's deposition testimony;
2247	02/20/13	Fisher	3.10	\$ 330.00	\$ 1,023.00	Draft summary judgment motion;
2248	02/21/13	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding factual section for motion for summary judgment [2].
2249	02/21/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Discuss fact section re Motion for Summary Judgment w/ co-counsel and review/analyze e-mail from co-counsel re same.
2250	02/21/13	Fisher	2.30	\$ 330.00	\$ 759.00	Draft summary judgment motion;
2251	02/22/13	Boschen	2.40	\$ 150.00	\$ 360.00	Reviewed facts section of draft motion for summary judgment and commenced preparing exhibits for same [2.4].
2252	02/22/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	E-mail re co-counsel request for 30b6 deposition summary/analysis.
2253	02/22/13	Roos	1.20	\$ 465.00	\$ 558.00	Conference with C. Fisher regarding summary judgment motion; draft same; conference with D. Steele regarding mootness argument;
2254	02/22/13	Fisher	3.80	\$ 330.00	\$ 1,254.00	Draft summary judgment motion;
2255	02/23/13	Roos	2.60	\$ 465.00	\$ 1,209.00	Draft summary judgment motion;
2256	02/24/13	Marshall	7.20	\$ 375.00	\$ 2,700.00	Worked on factual section for motion for summary judgment and reviewed documents and deposition transcripts for same [7.2].
2257	02/24/13	Roos	0.90	\$ 465.00	\$ 418.50	Draft summary judgment motion;
2258	02/25/13	Marshall	10.60	\$ 375.00	\$ 3,975.00	Worked on factual section for motion for summary judgment and reviewed documents and deposition transcripts for same [10.6].
2259	02/25/13	Zuchetto	3.00	\$ 330.00	\$ 990.00	Review/analyze 30b6 depositions re highlights for Motion for Summary Judgment and e-mail co-counsel re same.
2260	02/25/13	Dunne	0.80	\$ 380.00	\$ 304.00	Revise proposed order for plaintiffs' summary judgment motion
2261	02/25/13	Talner	1.90	\$ 400.00	\$ 760.00	Revisions to plaintiffs' draft summary judgment motion
2262	02/25/13	Fisher	1.40	\$ 330.00	\$ 462.00	draft and revise summary judgment motion;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2263	02/25/13	Williams	3.00	\$ 580.00	\$ 1,740.00	Continue review of Ladenburg deposition transcript and identify trial testimony; begin creating outline for Ladenburg examination;
2264	02/26/13	Boschen	3.50	\$ 150.00	\$ 525.00	Continued work on motion for summary judgment and personal conference regarding same [3.5].
2265	02/26/13	Marshall	3.10	\$ 375.00	\$ 1,162.50	Worked on factual section for motion for summary judgment and reviewed documents in regard to same [2.2]; worked on proposed order granting motion for summary judgment [.1]; telephone conferences with co-counsel regarding factual and legal issues in motion for summary judgment [.8].
2266	02/26/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Discuss Motion for Summary Judgment/case strategy w/ co-counsel (.25); Review draft Motion for Summary Judgment (1.0).
2267	02/26/13	Roos	2.50	\$ 465.00	\$ 1,162.50	Revise motion for summary judgment; communications with J. Williams and team regarding same;
2268	02/26/13	Fisher	2.90	\$ 330.00	\$ 957.00	Work on summary judgment motion; meet with J. Williams and B. Roos to discuss summary judgment motion;
2269	02/26/13	Williams	2.50	\$ 580.00	\$ 1,450.00	Review ACLU's proposed order granting relief from plaintiffs' summary judgment; continue drafting outline for trial examination of Cities' expert John Ladenburg; coordinate with co-counsel on strategy for summary judgment argument;
2270	02/27/13	Kinsey	0.40	\$ 100.00	\$ 40.00	Prepared draft of motion for summary judgment; prepared Marshall declaration in support of motion for summary judgment.
2271	02/27/13	Boschen	9.80	\$ 150.00	\$ 1,470.00	Case status conference call [.8]; worked on testimony and exhibits in support of motion for summary judgment and personal conferences and correspondence regarding same [9].
2272	02/27/13	Marshall	7.50	\$ 375.00	\$ 2,812.50	Researched and analyzed issues regarding standards for injunctive relief [2.1]; telephone conferences with co-counsel regarding motion for summary judgment [1.4]; worked on motion for summary judgment [4.0].
2273	02/27/13	Zuchetto	2.50	\$ 330.00	\$ 825.00	Review/analyze Motion for Summary Judgment and discuss same w/ co-counsel (1.5); Team meeting re same (1.0).
2274	02/27/13	Roos	1.00	\$ 465.00	\$ 465.00	Telephone conference with team regarding summary judgment motion and opposition;
2275	02/27/13	Williams	3.00	\$ 580.00	\$ 1,740.00	Review draft summary judgment statement of facts and legal arguments in preparation for litigation team strategy call; participate in litigation strategy call with team on whether to file summary judgment motion and other matters;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2276	02/28/13	Kinsey	0.60	\$ 100.00	\$ 60.00	Prepared draft and finalized motion for leave to file overlength brief; prepared draft and finalized proposed order granting motion to file overlength brief; arranged filing and service; emailed proposed order to chambers.
2277	02/28/13	Boschen	7.50	\$ 150.00	\$ 1,125.00	Continued work on testimony and exhibits in support of motion for summary judgment [7.5].
2278	02/28/13	Marshall	8.80	\$ 375.00	\$ 3,300.00	Worked on motion for summary judgment and researched and analyzed issues regarding same [8.8].
2279	02/28/13	Zuchetto	0.40	\$ 330.00	\$ 132.00	Review Motion for Summary Judgment/motion to short time and e-mail co-counsel re same.
2280	02/28/13	Dunne	0.10	\$ 380.00	\$ 38.00	Correspondence with J. Strait
2281	02/28/13	Talner	2.50	\$ 400.00	\$ 1,000.00	Revise summary judgment motion; revise proposed remedial order
2282	02/28/13	Williams	3.50	\$ 580.00	\$ 2,030.00	Begin review and analysis of draft summary judgment motion; begin review and analysis of Vol. I of Mountain Laws' Michael Laws' deposition transcript;
2283	03/01/13	Boschen	11.40	\$ 150.00	\$ 1,710.00	Continued work on motion for summary judgment facts [11.4].
2284	03/01/13	Marshall	10.20	\$ 375.00	\$ 3,825.00	Worked on motion for summary judgment and researched and analyzed issues regarding same [9.7]; telephone call from co-counsel regarding same [.5].
2285	03/01/13	Zuchetto	5.00	\$ 330.00	\$ 1,650.00	Review and analyze testimony from Montague, Moon, Sanchez, Johnson and Howson depositions re Summary Judgment Motion and e-mail co-counsel re same.
2286	03/02/13	Marshall	2.80	\$ 375.00	\$ 1,050.00	Worked on motion for summary judgment and researched and analyzed issues regarding same [2.8].
2287	03/03/13	Boschen	8.50	\$ 150.00	\$ 1,275.00	Continued work on motion for summary judgment facts [8.5].
2288	03/03/13	Marshall	8.70	\$ 375.00	\$ 3,262.50	Worked on motion for summary judgment and researched and analyzed issues regarding same [8.7].
2289	03/04/13	Kinsey	1.10	\$ 100.00	\$ 110.00	Reviewed, retrieved and assembled exhibits to use in support of motion for summary judgment.
2290	03/04/13	Boschen	14.30	\$ 150.00	\$ 2,145.00	Continued work on facts for summary judgment motion [14.3].
2291	03/04/13	Marshall	10.80	\$ 375.00	\$ 4,050.00	Worked on motion for summary judgment and researched and analyzed issues regarding same [10.8].
2292	03/04/13	Zuchetto	1.75	\$ 330.00	\$ 577.50	Review/edit Motion for Summary Judgment and e-mail co-counsel re same (1.5); Review Sybrandy/Eason newly produced e-mails (.25).
2293	03/04/13	Williams	1.00	\$ 580.00	\$ 580.00	Begin reviewing revised Plaintiffs' summary judgment motion;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2294	03/05/13	Kinsey	5.30	\$ 100.00	\$ 530.00	Reviewed, revised and finalized Plaintiffs' motion for summary judgment; prepared and finalized table of contents and table of authorities; finalized Marshall declaration and associated exhibits; finalized Boschen declaration; arranged filing and service.
2295	03/05/13	Boschen	12.00	\$ 150.00	\$ 1,800.00	Completed work on motion for summary judgment [12].
2296	03/05/13	Marshall	11.60	\$ 375.00	\$ 4,350.00	Worked on motion for summary judgment and related documents; worked on filing issues [11.6].
2297	03/05/13	Zuchetto	3.25	\$ 330.00	\$ 1,072.50	Review/edit Motion for Summary Judgment/proposed order and e-mail co-counsel re same (2.5); Review/analyze Def's motion for summary judgment (.75).
2298	03/05/13	Talner	0.50	\$ 400.00	\$ 200.00	Revisions to draft proposed remedial order and plaintiffs' summary judgment motion
2299	03/05/13	Williams	2.00	\$ 580.00	\$ 1,160.00	Review plaintiffs' draft motion for summary judgment; review orders from Court on overlength briefs;
2300	03/06/13	Kinsey	1.00	\$ 100.00	\$ 100.00	Arranged delivery of Plaintiffs' motion for summary judgment to chambers; drafted praecipe to replace Boschen declaration; arranged filing and service.
2301	03/06/13	Boschen	1.00	\$ 150.00	\$ 150.00	Summarized facts for opposition to Defendants' motion for summary judgment and correspondence regarding same [.4]; researched factual issues [.5]; transmitted electronic files of motion for summary judgment exhibits [.1].
2302	03/06/13	Marshall	1.30	\$ 375.00	\$ 487.50	Worked on various post-filing issues, including praecipe to correct declaration of Jennifer Boschen [.7]; telephone conference with co-counsel regarding motions for summary judgment [.3]; worked on witness issues [.1]; analyzed issues regarding settlement conference and mediation deadlines [.2].
2303	03/06/13	Zuchetto	0.75	\$ 330.00	\$ 247.50	Review final Motion for Summary Judgment and discuss same w/ co-counsel.
2304	03/06/13	Talner	0.20	\$ 400.00	\$ 80.00	Emails with co-counsel re witness follow-up
2305	03/06/13	Williams	2.50	\$ 580.00	\$ 1,450.00	Review and analyze Cities' motion for summary judgment on mootness grounds; review and analyze plaintiffs' motion for summary judgment;
2306	03/07/13	Boschen	0.50	\$ 150.00	\$ 75.00	Researched facts for opposition to Defendants' motion for summary judgment and correspondence regarding same [.5].
2307	03/07/13	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding defendants' motion for summary judgment [.2].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2308	03/08/13	Marshall	2.70	\$ 375.00	\$ 1,012.50	Telephone conference with co-counsel regarding strategy for response to defendants' motion for summary judgment [.3]; reviewed defendants' motion for summary judgment and researched and analyzed issues regarding same [2.4].
2309	03/09/13	Fisher	5.30	\$ 330.00	\$ 1,749.00	Draft opposition to defendants' motion for summary judgment;
2310	03/10/13	Marshall	0.50	\$ 375.00	\$ 187.50	Researched and analyzed caselaw regarding mootness [.5].
2311	03/10/13	Fisher	6.00	\$ 330.00	\$ 1,980.00	Draft opposition to Defendants' motion for summary judgment;
2312	03/11/13	Marshall	6.60	\$ 375.00	\$ 2,475.00	Researched and analyzed issues regarding response to defendants' motion for summary judgment and email correspondence with co-counsel regarding same [2.4]; meeting with co-counsel regarding strategy for response to defendants' motion for summary judgment and for trial of claims [2.2]; traveled to and from same [.8]; telephone conference with co-counsel regarding strategy for response to mootness claim [1.2].
2313	03/11/13	Zuchetto	2.00	\$ 330.00	\$ 660.00	Review Defs' Motion for Summary Judgment (.5); Team meeting re response and trial planning (1.0); Discuss Motion for Summary Judgment w/ co-counsel (.5).
2314	03/11/13	Dunne	1.00	\$ 380.00	\$ 380.00	Meeting with co-counsel re case strategy and trial prep
2315	03/11/13	Talner	1.50	\$ 400.00	\$ 600.00	In person meeting with co-counsel to discuss case strategy re preparing for trial
2316	03/11/13	Roos	2.50		\$ -	Conference with team regarding opposition to motion for summary judgment and trial preparation; review motion for summary judgment in preparation for same;
2317	03/11/13	Williams	1.80	\$ 580.00	\$ 1,044.00	Prepare for and attend litigation team strategy meeting on summary judgment motions and pretrial planning;
2318	03/11/13	Fisher	5.00	\$ 330.00	\$ 1,650.00	Draft opposition to Defendants' motion for summary judgment; participate in team meeting to discuss opposition, trial roles, other steps;
2319	03/12/13	Boschen	0.50	\$ 150.00	\$ 75.00	Telephone calls to courts regarding attorney search; researched attorney cases on Washington Courts website.
2320	03/12/13	Marshall	5.70	\$ 375.00	\$ 2,137.50	Reviewed law on establishing mootness, researched and analyzed issues regarding same, and worked on memorandum regarding same [5.7].
2321	03/12/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Discuss response to def's Motion for Summary Judgment w/ co-counsel (.5); Dall to Perkins re same (.25); Research re same (.5).
2322	03/12/13	Dunne	0.20	\$ 380.00	\$ 76.00	Conference call with J. Strait re supplemental expert report
2323	03/12/13	Talner	0.20	\$ 400.00	\$ 80.00	Teleconference with co-counsel and expert witness

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2324	03/12/13	Roos	1.10	\$ 465.00	\$ 511.50	Conference regarding opposition to motion for summary judgment; conference with C. Jackson regarding trial testimony and action items;
2325	03/12/13	Fisher	2.20	\$ 330.00	\$ 726.00	Read Mt. Law deposition; draft opposition to defendants' motion for summary judgment;
2326	03/13/13	Marshall	3.00	\$ 375.00	\$ 1,125.00	Worked on memorandum regarding arguments and legal principles to use in response to defendants' motion for summary judgment [3.0].
2327	03/13/13	Fisher	3.20	\$ 330.00	\$ 1,056.00	Draft opposition to defendants' motion for summary judgment;
2328	03/14/13	Fisher	3.30	\$ 330.00	\$ 1,089.00	Draft opposition to defendants' motion for summary judgment;
2329	03/15/13	Marshall	0.20	\$ 375.00	\$ 75.00	Analyzed issues regarding response to defendants' motion for summary judgment [.2].
2330	03/15/13	Roos	1.10	\$ 465.00	\$ 511.50	Draft opposition to motion for summary judgment;
2331	03/15/13	Fisher	2.40	\$ 330.00	\$ 792.00	Draft opposition to defendants' summary judgment motion;
2332	03/17/13	Roos	4.50	\$ 465.00	\$ 2,092.50	Draft opposition to motion for summary judgment, including research regarding same;
2333	03/18/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	E-mail co-counsel re Michael Laws issue and research re same.
2334	03/18/13	Roos	2.90	\$ 465.00	\$ 1,348.50	Draft opposition to motion for summary judgment;
2335	03/18/13	Williams	3.50	\$ 580.00	\$ 2,030.00	Begin review of Mountain Law deposition of Michael Lewis and begin drafting five key arguments for defending mootness motion;
2336	03/19/13	Boschen	0.70	\$ 150.00	\$ 105.00	Personal conference regarding trial preparation [.7].
2337	03/19/13	Marshall	0.80	\$ 375.00	\$ 300.00	Analyzed and worked on issues regarding trial witnesses [.8].
2338	03/19/13	Williams	3.80	\$ 580.00	\$ 2,204.00	Continue review of Mountain Law deposition of Michael Laws and development of counter arguments to mootness motion; begin review and editing of Plaintiffs' opposition to Defendants Cities' Motion for Summary Judgment;
2339	03/19/13	Fisher	1.50	\$ 330.00	\$ 495.00	Draft opposition to defendants' motion for summary judgment;
2340	03/19/13	Roos	3.40	\$ 465.00	\$ 1,581.00	Draft opposition to motion for summary judgment; conference with J. Williams regarding same;
2341	03/20/13	Marshall	0.40	\$ 375.00	\$ 150.00	Analyzed issues regarding response to defendants' motion for summary judgment [.4].
2342	03/20/13	Zuchetto	0.70	\$ 330.00	\$ 231.00	Review new SCOTUS case re mootness doctrine and e-mail co-counsel re same.
2343	03/20/13	Williams	2.50	\$ 580.00	\$ 1,450.00	Continue editing and drafting plaintiffs' opposition to Cities' summary judgment motion on mootness;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2344	03/20/13	Roos	3.20	\$ 465.00	\$ 1,488.00	Draft opposition to motion for summary judgment, including rebuttal of Rule 702 motion to exclude testimony of C. Jackson;
2345	03/21/13	Boschen	0.10	\$ 150.00	\$ 15.00	Correspondence regarding production [.1].
2346	03/21/13	Marshall	0.40	\$ 375.00	\$ 150.00	Email correspondence with co-counsel regarding factual background issues for reply to defendants' motion for summary judgment on mootness [.1]; worked on settlement issues and email to opposing counsel regarding same [.3].
2347	03/21/13	Zuchetto	0.75	\$ 330.00	\$ 247.50	Discuss settlement conf. w/ co-counsel, review Court's order/LR re same, review e-mail re same.
2348	03/21/13	Talner	0.40	\$ 400.00	\$ 160.00	Background research re new court rule on public defense standards, email to co-counsel about it
2349	03/21/13	Williams	3.50	\$ 580.00	\$ 2,030.00	Continue drafting plaintiffs' opposition to defendants' Mootness Motion and identifying deposition testimony in support;
2350	03/21/13	Roos	2.60	\$ 465.00	\$ 1,209.00	Draft opposition to motion for summary judgment, including rebuttal of Rule 702 motion to exclude testimony of C. Jackson;
2351	03/22/13	Marshall	2.40	\$ 375.00	\$ 900.00	Telephone conference with co-counsel regarding settlement conference [.2]; telephone conference with Judge Donohue's chambers regarding availability for mediation [.1]; analyzed issues regarding settlement strategy [.4]; worked on response to defendants' motion for summary judgment and telephone conference with co-counsel regarding same [1.7].
2352	03/22/13	Zuchetto	3.75	\$ 330.00	\$ 1,237.50	Discuss settlement conference w/ co-counsel (1.75); Draft e-mail to def. counsel re same (.75); Review/edit response re Motion for Summary Judgment and discuss same w/ co-counsel (1.25).
2353	03/22/13	Williams	1.80	\$ 580.00	\$ 1,044.00	Finalize first draft of plaintiffs' opposition to defendants' Mootness Motion and coordinate same with team; resume review of Mountain Law deposition; discuss with B. Roos strategy for completing citations to authority for opposition brief;
2354	03/22/13	Roos	3.10	\$ 465.00	\$ 1,441.50	Revise opposition to motion for summary judgment, including finding factual and legal support for new arguments;
2355	03/24/13	Roos	5.30	\$ 465.00	\$ 2,464.50	Revise opposition to motion for summary judgment; review factual record for support for same; draft declaration supporting same;
2356	03/25/13	Marshall	2.50	\$ 375.00	\$ 937.50	Email correspondence with opposing counsel and co-counsel regarding mediation [.1]; analyzed and worked on issues regarding same [.2]; worked on response to defendants' motion for summary judgment [2.2].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2357	03/25/13	Zuchetto	2.10	\$ 330.00	\$ 693.00	Edit response re Cities' Motion for Summary Judgment and e-mail team re same (.75); Review Cities' response re Pltffs' Motion for Summary Judgment and e-mail co-counsel re same (1.1); E-mail co-counsel re settlement conference/response to def. counsel re same (.25).
2358	03/25/13	Roos	7.20	\$ 465.00	\$ 3,348.00	Revise opposition to motion for summary judgment; prepare factual support for same; conferences with J. Williams, C. Fisher, and J. Higa regarding same;
2359	03/25/13	Williams	1.50	\$ 580.00	\$ 870.00	Review and coordinate edits to Plaintiffs' Opposition to Mootness Motion for Summary Judgment; review and edit declaration in support of opposition; develop plan for next steps in litigation and allocation of personnel;
2360	03/26/13	Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft of reply in support of motion for summary judgment.
2361	03/26/13	Zuchetto	5.50	\$ 330.00	\$ 1,815.00	Discuss reply brief w/ co-counsel and e-mail team re same (1.0); Work on outline re reply (4.5).
2362	03/26/13	Williams	6.00	\$ 580.00	\$ 3,480.00	Begin review of Cities' opposition to Plaintiffs' Summary Judgment Motion; begin drafting Plaintiffs' Reply for Summary Judgment brief; exchange emails with team on strategy for distributing work;
2363	03/27/13	Boschen	2.20	\$ 150.00	\$ 330.00	Reviewed witness files; correspondence and telephone conferences with witnesses; prepared summaries of conversations with witnesses; commenced preparation of exhibits in support of reply in support of motion for summary judgment.
2364	03/27/13	Marshall	11.20	\$ 375.00	\$ 4,200.00	Reviewed defendants' response to plaintiffs' motion for summary judgment, researched and analyzed issues regarding same, and worked on reply in support of motion for summary judgment [11.2].
2365	03/27/13	Zuchetto	3.00	\$ 330.00	\$ 990.00	Draft outline re reply Plaintiffs' Motion for Summary Judgment (2.0); discuss same w/ co-counsel (.5); E-mail co-counsel re mediation (.5).
2366	03/27/13	Dunne	0.40	\$ 380.00	\$ 152.00	Correspondence with J. Strait re supplemental report
2367	03/27/13	Roos	0.40	\$ 465.00	\$ 186.00	Conference regarding reply to motion for summary judgment; communications regarding same; review opposition to motion for summary judgment;
2368	03/27/13	Williams	1.50	\$ 580.00	\$ 870.00	Continue drafting reply on plaintiffs' summary judgment motion; coordinate with T. Marshall on handing off reply brief for T. Marshall completion;
2369	03/28/13	Boschen	0.90	\$ 150.00	\$ 135.00	Witness research and telephon conferences and correspondence regarding same [.9].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2370	03/28/13	Marshall	10.50	\$ 375.00	\$ 3,937.50	Worked on reply in support of motion for summary judgment and researched and analyzed issues regarding same [10.3]; telephone call from court clerk regarding settlement conference [.1]; email correspondence with co-counsel regarding same [.1].
2371	03/28/13	Zuchetto	2.25	\$ 330.00	\$ 742.50	Review/edit reply re Motion for Summary Judgment (1.5); Review Strait supplemental declaration and e-mail co-counsel re same (.75).
2372	03/28/13	Dunne	0.30	\$ 380.00	\$ 114.00	Correspondence with J. Strait re supplemental report
2373	03/28/13	Talner	0.70	\$ 400.00	\$ 280.00	Revisions to reply brief re plaintiffs' summary judgment motion,
2374	03/29/13	Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft of reply in support of plaintiffs' motion for summary judgment.
2375	03/29/13	Boschen	2.60	\$ 150.00	\$ 390.00	Worked on facts in support of reply in support of motion for summary judgment [2.6];
2376	03/29/13	Marshall	3.30	\$ 375.00	\$ 1,237.50	Worked on reply in support of motion for summary judgment [3.3].
2377	03/29/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Review reply re Motion for Summary Judgment and e-mail co-counsel re same.
2378	03/30/13	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on settlement strategy issues [.4].
2379	03/30/13	Williams	1.50	\$ 580.00	\$ 870.00	Review second supplemental declaration of John Strait and Reply of Cities on Mootness Summary Judgment Motion;
2380	04/01/13	Marshall	0.10	\$ 375.00	\$ 37.50	Email correspondence with magistrate judge's clerk regarding scheduling of mediation [.1].
2381	04/01/13	Williams	1.50	\$ 580.00	\$ 870.00	Coordinate with litigation team and U.S. District Court on available mediation dates; review plaintiffs' reply on summary judgment motion;
2382	04/02/13	Boschen	0.20	\$ 150.00	\$ 30.00	Updated trial witness list; correspondence and personal conference regarding same [.2].
2383	04/02/13	Marshall	1.40	\$ 375.00	\$ 525.00	Email from Judge Donohue's clerk regarding scheduling of mediation, analyzed issues regarding same, and email correspondence with co-counsel regarding same [.3]; telephone call from ACLU regarding efforts to schedule earlier mediation [.4]; telephone conference and email correspondence with co-counsel regarding same [.3]; email to Judge Donahue's clerk regarding same [.1]; worked on trial witness issues [.3].
2384	04/02/13	Dunne	0.40	\$ 380.00	\$ 152.00	Email correspondence with co-counsel re settlement conference

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2385	04/02/13	Williams	1.50	\$ 580.00	\$ 870.00	Review exchange of emails with Magistrate Donohue's chambers on settlement; exchange emails with Wilbur litigation team on mediation options; exchange emails with C. Fisher and B. Roos on strategy for mediation with Cities;
2386	04/03/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	E-mail team re cancel litigation meeting until Judge Donahue schedules settlement conference.
2387	04/04/13	Zuchetto	0.20	\$ 330.00	\$ 66.00	Review Court's order re settlement conference and discuss same w/ co-counsel.
2388	04/08/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	E-mail team re agenda for litigation call.
2389	04/08/13	Williams	2.00	\$ 580.00	\$ 1,160.00	Review order from Judge Donohue setting May 16 settlement conference; discuss prior week team conference call with C. Fisher; discuss with C. Fisher plan for May 2 pretrial conference; send email to team addressing tasks identified in Judge Donohue's order; review new Supreme Court order on case-weighting policy and coordinate with litigation team;
2390	04/09/13	Fisher	0.50	\$ 330.00	\$ 165.00	Read recent Washington State Supreme Court regarding indigent defense standards implementation; draft agenda for weekly meeting, upcoming dates and deadlines, and division of labor for trial preparation; email S. Dunne regarding Sgt. O'Neill and jail log and complaint process;
2391	04/10/13	Boschen	0.60	\$ 150.00	\$ 90.00	Case status conference call [.6].
2392	04/10/13	Williams	1.00	\$ 580.00	\$ 580.00	Prepare for and chair conference call with litigation team on assignment of pre-mediation tasks;
2393	04/11/13	Zuchetto	4.00	\$ 330.00	\$ 1,320.00	Draft settlement brief.
2394	04/12/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Work on settlement brief and e-mail team re same.
2395	04/13/13	Zuchetto	3.00	\$ 330.00	\$ 990.00	Work on settlement memo.
2396	04/15/13	Talner	0.40	\$ 400.00	\$ 160.00	Research AOC caseloads reports for data relevant to case
2397	04/16/13	Fisher	2.20	\$ 330.00	\$ 726.00	Draft pretrial order; send agenda for weekly meeting;
2398	04/17/13	Boschen	1.20	\$ 150.00	\$ 180.00	Telephone conference with client [.1]; worked on trial witness analysis [1.1].
2399	04/17/13	Zuchetto	1.20	\$ 330.00	\$ 396.00	E-mail team re meeting (.1); Work on settlement memo (1.1).
2400	04/17/13	Fisher	0.20	\$ 330.00	\$ 66.00	Draft pretrial statement and send to J. Williams;
2401	04/17/13	Williams	3.00	\$ 580.00	\$ 1,740.00	Begin selecting exhibits for trial and pre-trial statement; begin editing pretrial statement;
2402	04/18/13	Boschen	3.20	\$ 150.00	\$ 480.00	Worked on identification and location of trial witnesses; worked on reviewing proposed trial exhibits; worked on new server purchase issues;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2403	04/18/13	Zuchetto	3.00	\$ 330.00	\$ 990.00	Work on settlement brief (1.75); Review/analyze exhibit list and e-mail team re same (1.25).
2404	04/18/13	Roos	3.20	\$ 465.00	\$ 1,488.00	Review and revise exhibit list;
2405	04/18/13	Williams	4.00	\$ 580.00	\$ 2,320.00	Continue review and edit of trial exhibit list; continue drafting pretrial statement;
2406	04/19/13	Boschen	9.50	\$ 150.00	\$ 1,425.00	Continued work on trial witnesses and trial exhibits for pre-trial statement [9.5].
2407	04/19/13	Marshall	0.50	\$ 375.00	\$ 187.50	Worked on trial witness issues [.5].
2408	04/19/13	Zuchetto	1.50	\$ 330.00	\$ 495.00	Review/analyze trial exhibits and e-mail team re same.
2409	04/19/13	Williams	2.50	\$ 580.00	\$ 1,450.00	Coordinate with litigation team on trial exhibit list; continue editing pretrial statement; send draft of pretrial statement to litigation team;
2410	04/20/13	Fisher	0.50	\$ 330.00	\$ 165.00	Review and add to pretrial statement exhibit list;
2411	04/21/13	Boschen	2.50	\$ 150.00	\$ 375.00	Reviewed proposed trial exhibits [2.5].
2412	04/21/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Review/edit pretrial statement and e-mail team re same.
2413	04/22/13	Boschen	6.90	\$ 150.00	\$ 1,035.00	Continued work on trial exhibits and witnesses for pretrial statement and personal conferences and correspondence regarding same [6.9].
2414	04/22/13	Marshall	6.80	\$ 375.00	\$ 2,550.00	Worked on pre-trial statement and trial exhibit list and email correspondence and telephone conferences with co-counsel regarding same [6.5]; worked on document management issues [.3].
2415	04/22/13	Zuchetto	5.00	\$ 330.00	\$ 1,650.00	Discuss pretrial statement/case status w/ co-counsel (1.25); Edit settlement brief (3.5); Review revised pretrial statement and e-mail co-counsel re same (.25).
2416	04/22/13	Talner	1.50	\$ 400.00	\$ 600.00	Teleconference with co-counsel to discuss potential trial witnesses; review draft pretrial statement and provide revisions to co-counsel.
2417	04/22/13	Roos	1.10	\$ 465.00	\$ 511.50	Communications regarding pretrial statement; review and revise same;
2418	04/22/13	Fisher	2.90	\$ 330.00	\$ 957.00	Review pretrial statement; work on exhibit list; finalize pretrial statement;
2419	04/22/13	Williams	3.00	\$ 580.00	\$ 1,740.00	Coordinate with litigation team on Pretrial Statement; review and finalize Pretrial Statement with input from litigation team;
2420	04/23/13	Boschen	3.70	\$ 150.00	\$ 555.00	Telephone conference with client [.1]; worked on trial exhibits and witnesses and personal conferences and correspondence regarding same [3.6].
2421	04/23/13	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on trial issues [.3].
2422	04/23/13	Zuchetto	6.25	\$ 330.00	\$ 2,062.50	Work on settlement brief (1.5); Review LR re pretrial statement (.75); Continue Work on Settlement Brief (4.0).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2423	04/23/13	Higa	2.90	\$ 155.00	\$ 449.50	Review pre-trial order, compare same to trial exhibit list to determine bates range; review document database to find same; prepare trial document tracking spreadsheet; re-format documents for inclusion into electronic database;
2424	04/23/13	Williams	0.20	\$ 580.00	\$ 116.00	Coordinate with counsel for Cities on pretrial statement exhibits; provide instructions to paralegal on same;
2425	04/24/13	Marshall	1.40	\$ 375.00	\$ 525.00	Participated in weekly conference call regarding case strategy issues and trial preparation [.8]; telephone conference with co-counsel regarding mediation materials and settlement strategy [.6].
2426	04/24/13	Zuchetto	2.00	\$ 330.00	\$ 660.00	Participate in team meeting re litigation status and strategy (1.0); Work on settlement memo. (.75); Discuss same and confidential memo w/ co-counsel (.25).
2427	04/24/13	Higa	6.10	\$ 155.00	\$ 945.50	Review pre-trial order, compare same to trial exhibit list to determine bates range; review document database to find same; prepare trial document tracking spreadsheet; re-format documents for inclusion into electronic database;
2428	04/24/13	Roos	1.60	\$ 465.00	\$ 744.00	Conference with team regarding trial preparation and mediation; draft trial plan;
2429	04/24/13	Williams	1.50	\$ 580.00	\$ 870.00	Prepare for and coordinate conference call with litigation team; meet with Perkins Coie litigation team members to discuss assignments;
2430	04/24/13	Fisher	1.70	\$ 330.00	\$ 561.00	Draft and send email to A. Denny regarding Sgt. O'Neill; update and send agenda; participate in team call; draft motions in limine;
2431	04/25/13	Marshall	5.40	\$ 375.00	\$ 2,025.00	Worked on mediation submission (settlement brief), analyzed issues regarding same and confidential memorandum, and telephone conference with co-counsel regarding same [5.0]; reviewed court's order denying summary judgment motions and analyzed issues regarding same [.4].
2432	04/25/13	Zuchetto	3.75	\$ 330.00	\$ 1,237.50	Draft/edit confidential settlement memo.
2433	04/25/13	Higa	2.70	\$ 155.00	\$ 418.50	Review pre-trial order, compare same to trial exhibit list to determine bates range; review document database to find same; prepare trial document tracking spreadsheet; re-format documents for inclusion into electronic database;
2434	04/25/13	Roos	1.60	\$ 465.00	\$ 744.00	Review order regarding motion for summary judgment; communications regarding same; draft findings of fact;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2435	04/25/13	Williams	0.80	\$ 580.00	\$ 464.00	Review court order denying motions for summary judgment and exchange emails with litigation team on same;
2436	04/25/13	Fisher	1.10	\$ 330.00	\$ 363.00	Read court's order denying both parties' summary judgment motions; draft motions in limine outline;
2437	04/26/13	Boschen	1.10	\$ 150.00	\$ 165.00	Continued work on trial exhibits and witness location [1.1].
2438	04/26/13	Marshall	5.90	\$ 375.00	\$ 2,212.50	Analyzed issues regarding search for Mr. Moon [.2]; worked on settlement brief [.4]; worked on confidential memorandum to Judge Donohue and researched and analyzed issues regarding same [5.3].
2439	04/26/13	Bledsoe	1.00	\$ 120.00	\$ 120.00	Prepare Plaintiffs' settlement brief for Zuchetto.
2440	04/26/13	Zuchetto	2.00	\$ 330.00	\$ 660.00	Edit settlement memo and confidential memo (1.5); Discuss same w/ co-counsel (.5).
2441	04/26/13	Higa	5.20	\$ 155.00	\$ 806.00	Review pre-trial order, compare same to trial exhibit list to determine bates range; review document database to find same; prepare trial document tracking spreadsheet; re-format documents for inclusion into electronic database; prepare email and ftp transfer to transmit same to opposing counsel and litigation team;
2442	04/26/13	Roos	3.40	\$ 465.00	\$ 1,581.00	Review motion in limine; conference regarding same with C. Fisher, A. Locke, and S. Kung; draft trial plan and findings of fact; communications regarding Rule 1006 summary of caseloads;
2443	04/26/13	Fisher	1.80	\$ 330.00	\$ 594.00	Draft motion in limine outline and send to A. Locke and S. Kung; meet with A. Lock, S. Kung, and B. Roos to discuss motion in limine;
2444	04/28/13	Marshall	2.60	\$ 375.00	\$ 975.00	Worked on confidential memorandum to Judge Donohue and researched and analyzed issues for same [2.6].
2445	04/29/13	Marshall	4.60	\$ 375.00	\$ 1,725.00	Worked on confidential mediation memorandum to Judge Donohue and researched and analyzed issues regarding same [3.0]; email correspondence with co-counsel regarding same [.2]; analyzed issues regarding trial exhibits and email correspondence with co-counsel regarding same [.2]; worked on settlement brief and analyzed issues regarding same [.6]; worked on case strategy issues [.1]; analyzed issues regarding fees and costs [.3]; analyzed issues regarding trial tasks [.2].
2446	04/29/13	Zuchetto	3.75	\$ 330.00	\$ 1,237.50	Edit confidential memo and e-mail co-counsel re same (1.75); Incorporate co-counsel revisions into settlement brief and work on fees/costs calculation (2.0).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2447	04/29/13	Talner	0.80	\$ 400.00	\$ 320.00	Review and suggest revisions to confidential settlement brief; add to list of witnesses that go with exhibits for trial.
2448	04/29/13	Williams	1.20	\$ 580.00	\$ 696.00	Review and approve draft Confidential Memorandum for Mediation before Judge Donohue; review and approve of Plaintiffs' settlement statement;
2449	04/29/13	Roos	2.30	\$ 465.00	\$ 1,069.50	Draft findings of fact;
2450	04/30/13	Boschen	1.10	\$ 150.00	\$ 165.00	Continued work on trial witness identification and location and personal conferences and correspondence regarding same [.3]; downloaded and resized Plaintiffs' proposed trial exhibits [.8].
2451	04/30/13	Marshall	1.70	\$ 375.00	\$ 637.50	Worked on trial witness and strategy issues and email correspondence with co-counsel regarding same [1.0]; worked on mediation submissions [.3]; analyzed issues regarding pretrial and attorney conferences [.4].
2452	04/30/13	Higa	1.20	\$ 155.00	\$ 186.00	Review email from opposing counsel and prepare response regarding duplicate exhibits in proposed exhibit list; review email from counsel and prepare ftp transfer to opposing counsel's paralegal;
2453	04/30/13	Roos	2.10	\$ 465.00	\$ 976.50	Communications regarding motion in limine; draft trial plan and findings of fact;
2454	04/30/13	Williams	0.30	\$ 580.00	\$ 174.00	Review emails on indigent defendant trial witnesses and plan for motions in limine;
2455	05/01/13	Kinsey	2.80	\$ 100.00	\$ 280.00	Reviewed, revised and finalized plaintiffs' settlement brief; prepared table of contents and table of authorities.
2456	05/01/13	Boschen	2.80	\$ 150.00	\$ 420.00	Continued work on trial preparation and personal conferences and correspondence regarding same [2.8].
2457	05/01/13	Marshall	5.10	\$ 375.00	\$ 1,912.50	Worked on mediation submissions and related issues [1.0]; worked on trial witness issues [.5]; meetings with co-counsel in preparation for pretrial conference and trial [3.6].
2458	05/01/13	Zuchetto	7.00	\$ 330.00	\$ 2,310.00	Travel to Seattle re Pretrial Conference (5.0); Team meeting re strategy/preparation for Pretrial Conference (2.0).
2459	05/01/13	Dunne	0.20	\$ 380.00	\$ 76.00	Email correspondence with co-counsel re upcoming mediation
2460	05/01/13	Talner	1.50	\$ 400.00	\$ 600.00	Review and comment on proposed trial witness list and provide additional info on potential witnesses to co-counsel; meeting w/co-counsel to discuss pretrial conference and trial preparation.
2461	05/01/13	Roos	4.20	\$ 465.00	\$ 1,953.00	Draft findings of fact; prepare trial testimony; conference with team regarding trial and pretrial conference; revise motion in limine;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2462	05/01/13	Williams	3.00	\$ 580.00	\$ 1,740.00	Prepare for and participate in litigation team meeting on pretrial conference strategy; review Defendants' settlement brief;
2463	05/01/13	Fisher	2.50	\$ 330.00	\$ 825.00	Edit motions in limine; participate in team meeting in preparation for pretrial conference with Judge Lasnik;
2464	05/01/13	Higa	1.80	\$ 155.00	\$ 279.00	Attend pre-trial hearing litigation team meeting;
2465	05/01/13	Higa	0.30	\$ 155.00	\$ 46.50	Attend telephone conference with opposing counsel regarding plaintiff's pre-trial exhibits;
2466	05/02/13	Boschen	0.50	\$ 150.00	\$ 75.00	Personal conferences and correspondence regarding trial strategy [.5].
2467	05/02/13	Marshall	5.00	\$ 375.00	\$ 1,875.00	Telephone conference for pretrial conference and meetings with co-counsel regarding same and trial strategy [3.1]; worked on trial witnes and trial preparation issues [.5]; worked on motions in limine [1.4].
2468	05/02/13	Zuchetto	7.20	\$ 330.00	\$ 2,376.00	Preparation for and attend pretrial conference and debrief w/ co-counsel re same (2.0); Travel from Seattle to Spokane re pretrial conference (5.0); Review Defendants' pretrial statement (.2).
2469	05/02/13	Dunne	1.20	\$ 380.00	\$ 456.00	Prepare for and attend pretrial conference; meeting with co-counsel re same; meeting with N. Talner re same
2470	05/02/13	Talner	0.80	\$ 400.00	\$ 320.00	Discuss pretrial conference w/co-counsel; discuss documents needed in connection w/witness testimony and motions in limine; review and suggest revisions to draft motions in limine.
2471	05/02/13	Roos	3.60	\$ 465.00	\$ 1,674.00	Attend pretrial conference; conference with team regarding same; prepare for motion in limine meet and confer; review defendants' pretrial statement; prepare trial testimony;
2472	05/02/13	Williams	2.50	\$ 580.00	\$ 1,450.00	Prepare for pretrial conference with Judge Lasnik; attend pretrial conference with trial team before Judge Lasnik; discuss results of pretrial conference with litigation team;
2473	05/02/13	Fisher	3.30	\$ 330.00	\$ 1,089.00	Prepare and participate in pretrial conference with Judge Lasnik;
2474	05/03/13	Boschen	0.90	\$ 150.00	\$ 135.00	Continued locating witnesses for trial [.2]; continued work on trial exhibits and correspondence regarding same [.7].
2475	05/03/13	Marshall	0.30	\$ 375.00	\$ 112.50	Worked on trial preparation issues [.3].
2476	05/03/13	Dunne	0.70	\$ 380.00	\$ 266.00	Telephone conference with J. Strait re trial testimony; email correspondence with co-counsel re same; email correspondence with J. Strait re trial
2477	05/03/13	Roos	0.90	\$ 465.00	\$ 418.50	Prepare for and attend motion in limine meet and confer conference; communications regarding same;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2478	05/03/13	Williams	0.50	\$ 580.00	\$ 290.00	Coordinate and exchange emails with ACLU and litigation team on expert testimony of John Strait and J. Boerner;
2479	05/03/13	Fisher	3.60	\$ 330.00	\$ 1,188.00	Prepare for and participate in phone conference with A. Rosenberg to discuss motions in limine, conference of attorneys, and admission of deposition transcript testimony; coordinate meeting time with Sgt. O'Neil and A. Denny; draft motions in limine;
2480	05/03/13	Higa	3.20	\$ 155.00	\$ 496.00	Review case file production and prepare email to co-counsel paralegal regarding same; review hard copy trial exhibits and prepare notebooks of same;
2481	05/05/13	Marshall	2.10	\$ 375.00	\$ 787.50	Worked on strategy, witness, and exhibit issues for trial [2.1].
2482	05/06/13	Marshall	4.40	\$ 375.00	\$ 1,650.00	Worked on motions in limine and researched and analyzed issues regarding same [1.5]; email correspondence with co-counsel regarding same [2.2]; worked on trial exhibits, trial task list, trial witness issues, and trial strategy [2.3]; telephone conference with co-counsel regarding same [4].
2483	05/06/13	Zuchetto	1.40	\$ 330.00	\$ 462.00	Review/edit Motion in Limine (.4); Discuss trial prep. and work on same w/ co-counsel (1.0).
2484	05/06/13	Talner	0.30	\$ 400.00	\$ 120.00	Review and comment on draft motions in limine.
2485	05/06/13	Williams	0.50	\$ 580.00	\$ 290.00	Review and exchange emails with litigation team on trial preparation;
2486	05/06/13	Roos	0.90	\$ 465.00	\$ 418.50	Revise motion in limine; communications regarding smae;
2487	05/06/13	Fisher	3.90	\$ 330.00	\$ 1,287.00	Finalize motions in limine;
2488	05/07/13	Boschen	0.80	\$ 150.00	\$ 120.00	Continued work on locating trial witnesses [5]; continued review of and work on trial exhibits [3].
2489	05/07/13	Marshall	6.40	\$ 375.00	\$ 2,400.00	Worked on trial tasks, including deposition designations, and email correspondence with co-counsel regarding same [4]; worked on trial exhibits and strategy for admitting same [2.4]; reviewed additional exhibits for amendment to pretrial statement and email correspondence with co-counsel regarding same [9]; worked on designations for Witt deposition [2.7].
2490	05/07/13	Zuchetto	0.35	\$ 330.00	\$ 115.50	E-mail co-counsel re deposition designations (.1); Review draft findings (.25).
2491	05/07/13	Williams	1.50	\$ 580.00	\$ 870.00	Review and exchange emails with litigation team on trial preparation and scheduling issues;
2492	05/07/13	Higa	0.30	\$ 155.00	\$ 46.50	Finalize assembly of Trial Exhibit binders;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2493	05/07/13	Roos	0.70	\$ 465.00	\$ 325.50	Conference regarding opposition to motion in limine; review defendants' motion in limine;
2494	05/07/13	Fisher	0.80	\$ 330.00	\$ 264.00	Organize conference of attorneys; draft agenda; read defendants' motions in limine;
2495	05/08/13	Boschen	6.80	\$ 150.00	\$ 1,020.00	Case status conference call [.9]; telephone and correspondence with witness [1.2]; drafted summary regarding same [.6]; drafted and finalized public disclosure request [.2]; continued work on trial exhibit review and witness location [3.5]; worked on deposition designations [.2]; personal conference regarding trial preparation [.2].
2496	05/08/13	Marshall	3.80	\$ 375.00	\$ 1,425.00	Participated in weekly conference call with co-counsel regarding various trial preparation, witness, and exhibit issues [.9]; updated trial task list and email to co-counsel regarding same [.1]; worked on various trial task issues [.8]; analyzed issues regarding class member as trial witness [.4]; reviewed deposition transcripts of Mr. Witt and Mr. Moon in preparation for trial [1.6].
2497	05/08/13	Zuchetto	5.25	\$ 330.00	\$ 1,732.50	Work on trial witness/deposition designation issues (3.0); Work on trial witness prep. (1.25); Team meeting re litigation strategy/case status (1.0).
2498	05/08/13	Talner	0.60	\$ 400.00	\$ 240.00	Teleconference with co-counsel to discuss case strategy and trial preparation; emails w/co-counsel to discuss potential trial witnesses.
2499	05/08/13	Williams	0.50	\$ 580.00	\$ 290.00	Exchange emails with litigation team and discuss results of team meeting with C. Fisher;
2500	05/08/13	Higa	2.10	\$ 155.00	\$ 325.50	Attend trial team litigation conference; revise page/line deposition designations and prepare same for filing;
2501	05/08/13	Roos	3.90	\$ 465.00	\$ 1,813.50	Telephone conference regarding trial preparation; designate deposition testimony to be offered in lieu of live testimony;
2502	05/08/13	Fisher	2.30	\$ 330.00	\$ 759.00	Participate in team meeting; outline interview questions for call with Sgt. O'Neil;
2503	05/09/13	Boschen	7.40	\$ 150.00	\$ 1,110.00	Continued work on deposition designations, trial witnesses and objections and stipulations to Defendants' proposed trial exhibits; personal conferences and correspondence regarding same.
2504	05/09/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Finalize witness deposition review and designations re trial.
2505	05/09/13	Higa	3.20	\$ 155.00	\$ 496.00	Revise and assemble electronic copies of page/line deposition designations;
2506	05/09/13	Roos	3.10	\$ 465.00	\$ 1,441.50	Designate deposition testimony to be offered in lieu of live testimony;
2507	05/09/13	Fisher	3.50	\$ 330.00	\$ 1,155.00	Complete deposition designations for J. Ladenburg and E. Stendal; interview Sgt. O'Neil;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2508	05/10/13	Boschen	5.50	\$ 150.00	\$ 825.00	Continued work on objections and stipulations to Defendants' proposed trial exhibits; continued work on witness location.
2509	05/10/13	Marshall	2.80	\$ 375.00	\$ 1,050.00	Worked on trial preparation, including deposition designations, trial exhibit issues, and pretrial statement amendment issues; email correspondence with co-counsel regarding same [2.1]; worked on trial witness issues [.7].
2510	05/10/13	Zuchetto	2.75	\$ 330.00	\$ 907.50	Finalize deposition review/analysis and designations.
2511	05/10/13	Talner	2.70	\$ 400.00	\$ 1,080.00	Review and compile factual evidence for proof of claim; draft memo re same for purposes of settlement conference and trial.
2512	05/10/13	Higa	1.20	\$ 155.00	\$ 186.00	Revise page line deposition designations;
2513	05/10/13	Roos	0.40	\$ 465.00	\$ 186.00	Revise deposition designations;
2514	05/10/13	Fisher	2.80	\$ 330.00	\$ 924.00	Organize and send deposition designations to defendants; edit and send amended pretrial statement to defendants;
2515	05/11/13	Marshall	0.40	\$ 375.00	\$ 150.00	Worked on trial preparation [.4].
2516	05/13/13	Boschen	4.10	\$ 150.00	\$ 615.00	Continued work on objections and stipulations to Defendants trial exhibits;
2517	05/13/13	Talner	3.10	\$ 400.00	\$ 1,240.00	Review and compile factual evidence for proof of claim; draft memo re same for purposes of settlement conference and trial.
2518	05/13/13	Roos	1.70	\$ 465.00	\$ 790.50	Conference with D. Steele regarding pretrial order; communications regarding deposition designations; review deposition transcript of C. Jackson;
2519	05/13/13	Williams	0.50	\$ 580.00	\$ 290.00	Review various emails on pretrial statement, exchange of exhibits and filing of deposition designations;
2520	05/14/13	Boschen	2.70	\$ 150.00	\$ 405.00	Worked on witness location; telephone conferences, personal conferences and correspondence regarding same; telephone conference with client.
2521	05/14/13	Marshall	1.80	\$ 375.00	\$ 675.00	Worked on stipulations and objections to defendants' exhibits and other trial preparation issues [1.8].
2522	05/14/13	Talner	1.50	\$ 400.00	\$ 600.00	Review and compile factual evidence for proof of claim; draft memo re same for purposes of settlement conference and trial.
2523	05/14/13	Higa	4.40	\$ 155.00	\$ 682.00	Review attorney memorandum and insure that page line deposition designations comport with same; review case file trial exhibit for redactions per LCR 5.2;
2524	05/14/13	Fisher	4.00	\$ 330.00	\$ 1,320.00	Find documents to support motion in limine opposition; discuss deposition designation and exhibits with J. Higa and B. Roos; look for places where Cities said their systems would be adequate by January 2013;
2525	05/14/13	Roos	3.80	\$ 465.00	\$ 1,767.00	Revise opposition to motion in limine; research regarding same;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2526	05/15/13	Boschen	8.40	\$ 150.00	\$ 1,260.00	Continued work on objections and stipulations to Defendants' proposed trial exhibits; personal conferences and correspondence regarding same; telephone conferences with class member and client; researched witness location; telephone conferences and correspondence regarding same.
2527	05/15/13	Marshall	6.10	\$ 375.00	\$ 2,287.50	Analyzed issues regarding settlement conference and strategy for same [.2]; telephone conference with co-counsel regarding various trial and settlement issues [1.0]; worked on deposition designations, pretrial order, and other trial issues [1.9]; worked on proposed settlement terms and strategy for settlement conference [3.0].
2528	05/15/13	Zuchetto	3.50	\$ 330.00	\$ 1,155.00	Team litigation meeting re mediation and trial prep. and follow up re same w/ co-counsel.
2529	05/15/13	Dunne	1.90	\$ 380.00	\$ 722.00	Prepare for upcoming mediation; correspondence with co-counsel re same
2530	05/15/13	Talner	0.80	\$ 400.00	\$ 320.00	Teleconference with co-counsel to discuss case strategy and trial preparation.
2531	05/15/13	Higa	3.90	\$ 155.00	\$ 604.50	Attend litigation team conference; continue LCR 5.2 redaction review of trial exhibits;
2532	05/15/13	Fisher	2.80	\$ 330.00	\$ 924.00	Edit pretrial order; participate in team call; draft and send letter to A. Rosenberg regarding deposition designations; draft agenda for conference of attorneys; edit oppositions to motions in limine;
2533	05/15/13	Roos	7.10	\$ 465.00	\$ 3,301.50	Revise pretrial order; conference with trial team regarding trial preparation; revise opposition to motion in limine; research relating to same; review deposition transcript of C. Jackson in preparation of direct testimony;
2534	05/15/13	Williams	5.00	\$ 580.00	\$ 2,900.00	Prepare for litigation team conference call on trial preparation and settlement discussions; participate in litigation team conference call; provide instructions to Perkins team on witnesses, exhibits and visual aides; review and edit proposed settlement terms;
2535	05/16/13	Boschen	1.50	\$ 150.00	\$ 225.00	Continued work on trial exhibits and correspondence regarding same [.8]; finalized objections and stipulations to Defendants' proposed trial exhibits and correspondence regarding same [.7].
2536	05/16/13	Marshall	10.90	\$ 375.00	\$ 4,087.50	Meeting with co-counsel in preparation for mediation [.4]; traveled to, participated in, and returned from mediation [8.8]; meeting with co-counsel regarding same [.5]; worked on settlement issues [1.2].
2537	05/16/13	Zuchetto	14.00	\$ 330.00	\$ 4,620.00	Preparation for and attend mediation (9); Travel back to Spokane (5).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2538	05/16/13	Fisher	2.00	\$ 330.00	\$ 660.00	Review our stipulations and objections to defendants' exhibit list; edit opposition to motions in limine and draft declaration thereto;
2539	05/16/13	Dunne	10.00	\$ 380.00	\$ 3,800.00	Meeting with co-counsel in prep for mediation; attend mediation
2540	05/16/13	Williams	10.00	\$ 580.00	\$ 5,800.00	Review and exchange emails with Sarah Dunne of ACLU on fees and disbursements; prepare for and attend mediation of case with Magistrate Judge Donohue;
2541	05/17/13	Marshall	8.80	\$ 375.00	\$ 3,300.00	Telephone conferences with co-counsel, Mr. Hardesty, and Mr. Rogerson regarding settlement negotiations [2.3]; analyzed issues regarding same [1.7]; worked on final settlement agreement [1.6]; worked on revisions to defendants' proposed settlement terms and analyzed issues regarding same [3.2].
2542	05/17/13	Zuchetto	3.25	\$ 330.00	\$ 1,072.50	Work on settlement and e-mail co-counsel and adjuster re same.
2543	05/17/13	Dunne	0.80	\$ 380.00	\$ 304.00	Correspondence with co-counsel re settlement terms and fees and costs
2544	05/17/13	Higa	3.10	\$ 155.00	\$ 480.50	Continue review of Trial Exhibits for CR 5.2 redactions;
2545	05/17/13	Fisher	0.80	\$ 330.00	\$ 264.00	Save and review email from A. Rosenberg regarding parties' trail exhibits; participate in conference of attorneys; discuss case with J. Williams and B. Roos;
2546	05/17/13	Roos	2.10	\$ 465.00	\$ 976.50	Conference with A. Rosenberg regarding pretrial order; prepare for same; communications regarding same; revise opposition to motion in limine;
2547	05/17/13	Williams	1.20	\$ 580.00	\$ 696.00	Meeting with A. Rosenberg on pretrial statement; meet with B. Roos and C. Fisher on case status and results of 05/16/13 mediation before Judge Donohue;
2548	05/18/13	Marshall	1.20	\$ 375.00	\$ 450.00	Worked on settlement issues [.2]; worked on response to defendants' motions in limine and analyzed issues regarding same [.7]; worked on trial strategy issues [.2]; worked on document management issues [.1].
2549	05/19/13	Marshall	1.90	\$ 375.00	\$ 712.50	Worked on settlement agreement terms and researched and analyzed issues regarding same [1.5]; email correspondence with co-counsel regarding same [.1]; worked on trial preparation [.3].
2550	05/19/13	Zuchetto	1.50	\$ 330.00	\$ 495.00	Edit/revise response re Motion in Limine and proposed settlement agreement.
2551	05/19/13	Dunne	1.10	\$ 380.00	\$ 418.00	email correspondence with co-counsel re settlement terms; review and revise settlement agreement
2552	05/19/13	Roos	1.10	\$ 465.00	\$ 511.50	Revise opposition to motion in limine;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2553	05/20/13	Marshall	6.40	\$ 375.00	\$ 2,400.00	Email correspondence with co-counsel regarding draft settlement agreement [.2]; analyzed issues regarding same [.2]; email to opposing counsel regarding same [.1]; worked on strategy for resolving fees and costs [.9]; worked on settlement negotiations and email correspondence and telephone conferences with Mr. Hardesty and co-counsel regarding same [1.8]; email correspondence with Judge Donohue regarding assistance with same [.2]; telephone conferences and email correspondence with co-counsel regarding settlement negotiations and strategy for same [.8]; researched and analyzed issues regarding entitlement to fees [.3]; worked on trial preparation [1.1]; telephone conferences with co-counsel and Judge Donohue regarding mediation [.8].
2554	05/20/13	Zuchetto	4.35	\$ 330.00	\$ 1,435.50	Discuss settlement negotiations w/ co-counsel work on response/strategy re same and participate in settlement conference w/ Judge Donahue (4.1); Review Cities' response to Motion in Limine (.25).
2555	05/20/13	Dunne	0.80	\$ 380.00	\$ 304.00	correspondence with co-counsel re settlement terms and fees and costs
2556	05/20/13	Williams	3.50	\$ 580.00	\$ 2,030.00	Conference call with litigation team on status of settlement terms and attorneys' fees; exchange emails on same; begin trial preparation with review of summary judgment motions; editing of opening statement;
2557	05/20/13	Roos	2.30	\$ 465.00	\$ 1,069.50	Revise opposition to motion in limine; prepare direct testimony of C. Jackson; telephone conference with team regarding trial and mediation;
2558	05/21/13	Boschen	8.50	\$ 150.00	\$ 1,275.00	Continued work on trial preparation and witness location and subpoenas; personal conferences and correspondence regarding same.
2559	05/21/13	Marshall	8.90	\$ 375.00	\$ 3,337.50	Prepared for, traveled to, participated in, and returned from settlement conference with Judge Donohue [2.6]; analyzed issues regarding same [.1]; telephone conference with co-counsel regarding trial preparation [.2]; worked on trial preparation [1.6]; worked on exhibit issues [.4]; telephone conferences with Mr. Williams and witness regarding trial testimony [1.4]; telephone conference with Mr. Zuchetto regarding trial assignments [.4]; worked on trial witness issues [.6]; worked on trial lineup chart [.8]; worked on trial brief [.8].
2560	05/21/13	Zuchetto	0.75	\$ 330.00	\$ 247.50	Prepare for call to R. Howson (.25); Discuss trial prep. w/ co-counsel (.5).
2561	05/21/13	Dunne	2.80	\$ 380.00	\$ 1,064.00	Prepare for and attend settlement conference; correspondence with co-counsel re settlement; email correspondence re witnesses in jails

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2562	05/21/13	Roos	2.80	\$ 465.00	\$ 1,302.00	Communications regarding trial subpoenas and mediation; review pretrial order; prepare for direct testimony of C. Jackson;
2563	05/21/13	Higa	9.40	\$ 155.00	\$ 1,457.00	Attend conference regarding trial technology support; continue review of case file exhibits for LCR 5.2 redactions; review trial exhibits for material that references L. Alvarez and prepare email providing summary of same;
2564	05/21/13	Fisher	0.20	\$ 330.00	\$ 66.00	Email A. Denny asking to accept service of Sgt. O'Neil's trial subpoena;
2565	05/21/13	Williams	4.00	\$ 580.00	\$ 2,320.00	Exchange emails with litigation team on status of settlement discussions; conference call with litigation team on trial preparation plan; conference call with T. Marshall and L. Alvarez on expected witness testimony; draft witness subpoena for L. Alvarez; send email to J. Higa on collecting Alvarez correspondence;
2566	05/22/13	Boschen	3.40	\$ 150.00	\$ 510.00	Personal conference regarding case timeline for trial; telephone conferences and correspondence with inmate counselors; telephone conference with chambers regarding telephonic testimony; continued work on witness location; telephone conference to jail regarding with witness.
2567	05/22/13	Marshall	7.40	\$ 375.00	\$ 2,775.00	Worked on trial preparation issues [.3]; analyzed issues regarding proposed testimony of Mr. Howson and telephone conference with co-counsel regarding same [.4]; worked on proposed witness order in plaintiffs' case and email correspondence with co-counsel regarding same [.8]; prepared for, traveled to, participated in, and returned from trial strategy meeting with co-counsel [4.1]; analyzed issues regarding presentation of testimony from incarcerated individuals and attempted to contact opposing counsel regarding same [.3]; reviewed materials for Mr. Osborn and Mr. Norman in preparation for trial testimony [1.2]; worked on exhibit issues [.3].
2568	05/22/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Call to Roy Howson re potential trial witness and discuss same w/ co-counsel.
2569	05/22/13	Roos	5.20	\$ 465.00	\$ 2,418.00	Conference with trial team regarding trial schedule and strategy; review trial exhibits for direct testimony of C. Jackson, J. Aarstad and B. Harrison; revise pretrial order and deposition designations;
2570	05/22/13	Higa	5.60	\$ 155.00	\$ 868.00	Continue review of trial exhibits for LCR 5.2 redactions; attend weekly litigation conference; revise page and line deposition designations; finalize collection and review of L. Alvarez review material; review additional exhibits from co-counsel and revise trial exhibit collection; review trial witness assignments and revise proposed trial schedule;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2571	05/22/13	Williams	7.30	\$ 580.00	\$ 4,234.00	Various meetings with trial team to discuss witnesses and prepare for trial; continue developing direct examination of L. Alvarez; begin drafting opening statement visual aids; coordinate on final pretrial order;
2572	05/23/13	Kinsey	0.40	\$ 100.00	\$ 40.00	Prepared draft of stipulation and proposed order regarding incarcerated witness testimony.
2573	05/23/13	Boschen	4.50	\$ 150.00	\$ 675.00	Worked on corrected trial exhibits and correspondence and personal conference regarding same [1.5]; reviewed witness direct examination outline and correspondence regarding same [.2]; telephone conferences with trial witnesses and personal conference regarding same [2.1]; continued work on trial preparation [.7].
2574	05/23/13	Marshall	8.20	\$ 375.00	\$ 3,075.00	Worked on exhibit issues [.6]; researched and analyzed issues regarding hearsay exception [.4]; telephone conference with Mr. Osborn regarding trial testimony [.7]; telephone conference with Mr. Norman regarding trial testimony [.7]; worked on outlines of direct examinations of indigent defendants [2.8]; telephone conference and email correspondence with with opposing counsel regarding testimony of incarcerated defendants via telephonic transmission [.3]; worked on stipulation for same [.1]; analyzed issues regarding same [.3]; worked on trial witness issues [.8]; worked on various trial preparation issues [1.5].
2575	05/23/13	Zuchetto	0.10	\$ 330.00	\$ 33.00	Respond re hearsay issue.
2576	05/23/13	Roos	1.90	\$ 465.00	\$ 883.50	Communications regarding exhibits; communications regarding service of subpoena on J. Aarstad; review trial exhibits for direct testimony of witnesses;
2577	05/23/13	Williams	7.80	\$ 580.00	\$ 4,524.00	Continue to prepare for trial by creating examination outlines for Letty Alvarez, John Stendal, and John Strait; coordinate with D. Steele on legal research of hearsay exception;
2578	05/23/13	Higa	4.60	\$ 155.00	\$ 713.00	Review Stendal fact and 30b6 depositions and ascertain correlating trial exhibits for witness preparation; review recent drafts of Trial Exhibit and Witness Tracking Sheet to determine which exhibits to pull; attend telephone conference and prepare email regarding trial logistics with Judge Lasnik's clerk;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2579	05/24/13	Boschen	3.80	\$ 150.00	\$ 570.00	Telephone conference with witness; telephone calls, telephone conferences and email correspondence with witnesses; drafted subpoenas, acceptances of service and cover letters; prepared mailings for same; personal conferences regarding trial witnesses.
2580	05/24/13	Marshall	8.10	\$ 375.00	\$ 3,037.50	Analyzed issues regarding authentication and admissibility of certain exhibits [.1]; worked on outline for Alvarez direct and reviewed exhibits to be used during same [.7]; worked on direct examination outlines for Mr. Osborn and Mr. Norman and reviewed documents in regard to same [2.2]; worked on witness issues [1.1]; reviewed defendants' reply on motion in limine and analyzed issues regarding inappropriateness of filing same [.2]; telephone conference with Mr. Muenscher regarding trial testimony [.5]; telephone conference with class member regarding potential trial testimony [.6]; worked on trial preparation [2.7].
2581	05/24/13	Roos	1.10	\$ 465.00	\$ 511.50	Draft outline for direct testimony of C. Jackson;
2582	05/24/13	Williams	7.20	\$ 580.00	\$ 4,176.00	Continue to prepare for trial by creating examination outlines for Letty Alvarez, John Stendal, and John Strait;
2583	05/24/13	Higa	3.20	\$ 155.00	\$ 496.00	Prepare email summary of trial logistics; reformat trial exhibits for inclusion into Trial Director database; attend conference regarding setup of same; review original deposition transcripts in file and prepare email to co-counsel paralegal inquiring as to status of same;
2584	05/25/13	Marshall	5.40	\$ 375.00	\$ 2,025.00	Worked on outline of direct examination of Mr. Muenscher [.8]; worked on outlines of direct examinations of Mr. Moon and Ms. Montague and reviewed documents in regard to same [4.1]; reviewed documents in preparation for cross examination of Mr. Laws [.5].
2585	05/26/13	Marshall	4.90	\$ 375.00	\$ 1,837.50	Worked on outline of Moon direct examination and reviewed documents in regard to same [1.6]; worked on trial preparation issues [.6]; worked on trial brief [2.7].
2586	05/26/13	Roos	2.10	\$ 465.00	\$ 976.50	Draft outline of direct testimony of C. Jackson;
2587	05/26/13	Higa	4.00	\$ 155.00	\$ 620.00	Finalize reformatting of trial exhibits for inclusion in Trial Director Database; perform dry run of functions; assemble trial logistic information and prepare emails regarding same;
2588	05/26/13	Williams	8.10	\$ 580.00	\$ 4,698.00	Continue to prepare for trial by editing examination outlines for Letty Alvarez, John Stendal, and John Strait; begin working on opening statement;
2589	05/26/13	Fisher	0.20	\$ 330.00	\$ 66.00	Check cites for Stendal's cross-examination;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2590	05/27/13	Marshall	6.90	\$ 375.00	\$ 2,587.50	Worked on trial brief [5.5]; worked on trial exhibits [.2]; worked on outline for examination of Mr. Stendal [.7]; researched and analyzed issues regarding Rule 43 and presentation of testimony of incarcerated individuals [.5].
2591	05/27/13	Fisher	2.80	\$ 330.00	\$ 924.00	Check cites for Stendal's cross-examination; send J. Williams list of Feldman's recommendations that the Cities have not implemented;
2592	05/27/13	Roos	5.10	\$ 465.00	\$ 2,371.50	Draft outline for direct testimony of C. Jackson; review exhibits relating to same; draft motion to strike;
2593	05/27/13	Williams	8.20	\$ 580.00	\$ 4,756.00	Continue to prepare for trial by editing examination outlines for Letty Alvarez, John Stendal, and John Strait; continue working on opening statement;
2594	05/28/13	Boschen	8.90	\$ 150.00	\$ 1,335.00	Coordinated accommodations and transportation for trial witnesses; telephone conferences and correspondence with witnesses; prepared subpoenas worked on exhibits; conference call regarding trial preparation; drafted Declaration of Shari Hall in support of motion to allow witnesses to testify telephonically; telephone conference with Attorney General's office and corrections facilities regarding same.
2595	05/28/13	Marshall	10.10	\$ 375.00	\$ 3,787.50	Analyzed issues regarding difficulty with transporting prisonors for testimony and analyzed issues regarding proposal for telephonic testimony [.5]; telephone conference and email correspondence with opposing counsel regarding same [.2]; worked on general trial preparation and email correspondence with co-counsel regarding same [.3]; worked on trial brief [1.0]; worked on appendix to same [.3]; worked on issues regarding witness lineup and related time constraints [.3]; worked on issues regarding direct examination of witness [.1]; telephone conferences with opposing counsel and court regarding request for telephonic motion over presentation of testimony of incarcerated individuals [.2]; researched and analyzed issues regarding same and worked on motion to allow telephonic testimony [5.6]; telephone conference with co-counsel regarding various trial issues [.5]; worked on witness examination outline for Ms. Montague and other trial preparation issues [1.1].
2596	05/28/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Review/edit trial brief (.75); Participate in pretrial litigation strategy call (.5).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2597	05/28/13	Higa	6.50	\$ 155.00	\$ 1,007.50	prepare for and attend litigation team conference; review additional trial exhibits from co-counsel and reformat same to include in trial exhibits; perform final review of trial exhibits and coordinate transfer of same to vendor for preparation of court copies; attend conferences, prepare emails, and attend telephonic conferences to resolve Trial Director support issues;
2598	05/28/13	Fisher	1.50	\$ 330.00	\$ 495.00	Check E. Stendal deposition cites for accuracy; participate in team call; draft direct examination outline for J. O'Neill;
2599	05/28/13	Roos	7.90	\$ 465.00	\$ 3,673.50	Telephone conference with team regarding trial witness preparation and strategy; draft outline of direct testimony of C. Jackson; review witness outlines and exhibit list;
2600	05/28/13	Williams	7.70	\$ 580.00	\$ 4,466.00	Continue to prepare for trial by editing examination outlines for Letty Alvarez, John Stendal, and John Strait; continue working on opening statement;
2601	05/29/13	Kinsey	3.10	\$ 100.00	\$ 310.00	Reviewed, revised and finalized trial brief; arranged filing and service of same; prepared draft of, reviewed, revised and finalized motion to allow incarcerated witnesses testify; prepared and finalized supporting Marshall declaration; finalized declarations of Shari Hall and Kathleen Glennon; prepared and finalized proposed order; arranged filing and service of same; transmission of proposed order to chambers; coordinate notebook transmission to chambers.
2602	05/29/13	Boschen	9.10	\$ 150.00	\$ 1,365.00	Continued work on trial witnesses, evidence, and exhibits; continued work on declarations in support of motion to allow telephonic testimony; personal conferences and correspondence regarding same.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2603	05/29/13	Marshall	11.90	\$ 375.00	\$ 4,462.50	Analyzed issues regarding expert testimony and email correspondence with co-counsel regarding same [.1]; worked on witness issues and email to Ms. Montague regarding same [.2]; worked on motion to allow telephonic testimony of incarcerated witnesses and declarations in support of same [2.0]; worked on amendment to exhibit list for pretrial order [.1]; finalized trial brief [.5]; worked on exhibit admission issues [.2]; telephone conference with Ms. Osborne regarding trial testimony [1.0]; worked on revisions to outline for direct examination of Ms. Osborne [.4]; worked on revisions to witness lineup [.5]; worked on trial and witness preparation [1.5]; worked on plan for admitting documents that defendants are challenging on authenticity and admissibility grounds and telephone conference with co-counsel regarding same [2.2]; analyzed issues regarding expert declaration submissions and worked on notice of Mr. Boerner's declaration [.2]; researched and analyzed issues regarding refreshing of recollection [.4]; reviewed documents and deposition transcripts in preparation for outline of Montague direct examination [2.6].
2604	05/29/13	Zuchetto	2.65	\$ 330.00	\$ 874.50	Edit/review motion re telephonic testimony (.4); Research re prevailing party requirements and e-mail co-counsel re same (1.75); Edit trial brief (.5).
2605	05/29/13	Higa	7.40	\$ 155.00	\$ 1,147.00	Review vendor's copy of plaintiff's trial exhibits and coordinate delivery of same to Court; review correspondence and task lists to prepare for and attend litigation team conference; review draft witness outlines and prepare exhibit notebooks for same; review draft witness outlines and prepare electronic workbooks in Trial Director for same; review exhibits for additional testimony related to target witnesses;
2606	05/29/13	Roos	7.40	\$ 465.00	\$ 3,441.00	Draft outline of C. Jackson direct examination; draft outline of B. Harrison direct examination; telephone conference with trial team regarding exhibits;
2607	05/29/13	Williams	10.10	\$ 580.00	\$ 5,858.00	Continue to prepare for trial by editing examination outlines for Letty Alvarez, John Stendal, and John Strait; continue working on opening statement and visual aids;
2608	05/30/13	Boschen	10.50	\$ 150.00	\$ 1,575.00	Continued work on trial preparation, witnesses, exhibits, evidence and logistics.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2609	05/30/13	Marshall	12.10	\$ 375.00	\$ 4,537.50	Telephone conference with co-counsel regarding themes in opening and key evidence [.3]; worked on trial preparations [.3]; telephone conference and email correspondence with Mr. Gipe regarding witness subpoena for Mr. Laws and worked on issues related to same [.3]; worked on trial exhibit issues [.4]; telephone conference with opposing counsel regarding same [.1]; worked on witness examination outlines [9.7]; worked on trial technology issues [1.0].
2610	05/30/13	Zuchetto	4.55	\$ 330.00	\$ 1,501.50	Work on Sybrandy cross outline (4.25); Review/analyze trial exhibits and e-mail co-counsel re same (.3).
2611	05/30/13	Higa	8.40	\$ 155.00	\$ 1,302.00	Prepare email to court clerk regarding tech dry run plans; review exhibits for J. Strait declarations and prepare email regarding same; attend conference calls with co-counsel paralegal to discuss trial exhibit modification and trial logistics; review revised exhibits 11 and 12, reformat same for production to Court and counsel, and ftp to co-counsel paralegal; attend technology dry run at Court and prepare email summarizing conference with Court Clerk; review draft powerpoint and compare to trial exhibits to perform citation check of same; review revised witness outlines and revise trial witness exhibits accordingly; load deposition transcripts into Trial Director and revise formatting of same; prepare back-up copies of data for Trial Director and format backup laptop;
2612	05/30/13	Roos	6.50	\$ 465.00	\$ 3,022.50	Conference with C. Jackson regarding direct examination; revise outline for same; draft outline of B. Harrison direct examination;
2613	05/30/13	Williams	7.20	\$ 580.00	\$ 4,176.00	Continue to prepare for trial by editing examination outlines for Letty Alvarez, John Stendal, and John Strait; continue working on opening statement and visual aids;
2614	05/31/13	Boschen	8.40	\$ 150.00	\$ 1,260.00	Continued work on trial preparation, witnesses, exhibits, evidence and logistics.
2615	05/31/13	Marshall	11.60	\$ 375.00	\$ 4,350.00	Worked on outline for Ms. Montague's direct examination [.8]; worked on opening and closing issues [.6]; traveled to, participated in, and returned from meeting with co-counsel regarding opening statement [3.0]; worked on trial preparation [7.2].
2616	05/31/13	Zuchetto	5.50	\$ 330.00	\$ 1,815.00	Finalize Sybrandy cross and e-mail team re same (3.25); Review opening statement material and provide feedback re same (2.25).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2617	05/31/13	Higa	6.80	\$ 155.00	\$ 1,054.00	Attend dry run of opening statement; review Exhibit 107 and revise same; review powerpoint and revise formatting to fit screen; attend conference regarding screen resolution and powerpoint formatting issues; review deposition designations for Aarstad, Stendal, Mt. Vernon, and Harrison to determine where deposition exhibits were designated; review trial exhibits to correlate designated deposition exhibits and prepare chart and email summarizing same;
2618	05/31/13	Williams	8.30	\$ 580.00	\$ 4,814.00	Continue preparing witness outline for expert John Strait; continue creating opening statement and do dry run of same with trial team; discuss trial strategy with team;
2619	05/31/13	Roos	5.10	\$ 465.00	\$ 2,371.50	Draft outlines for direct testimony of J. Aarstad and B. Harrison; conference with trial team regarding witness testimony and opening statements;
2620	05/31/13	Fisher	3.30	\$ 330.00	\$ 1,089.00	Participate in opening statement presentation; edit opening statement slides; prepare for trial;
2621	06/01/13	Marshall	8.20	\$ 375.00	\$ 3,075.00	Worked on cross examination outlines and trial preparation [8.2].
2622	06/01/13	Higa	4.00	\$ 155.00	\$ 620.00	Review powerpoint for opening, Alvarez, and Stendal examinations, revise formatting of same; begin citation check of examinations; review witness outlines and prepare exhibit collections for same; prepare trial exhibit collections;
2623	06/01/13	Fisher	2.40	\$ 330.00	\$ 792.00	Prepare for motions in limine arguments; draft cross examinations for witnesses; review defendants' exhibits; determine which of defendants' exhibits were produced and/or generated after discovery deadline;
2624	06/02/13	Boschen	8.10	\$ 150.00	\$ 1,215.00	Continued work on trial preparation, witnesses, exhibits, evidence, and closing statement.
2625	06/02/13	Marshall	9.80	\$ 375.00	\$ 3,675.00	Traveled to, participated in, and returned from meeting with co-counsel and witness regarding trial testimony [3.8]; worked on trial preparation, direct examination outlines, and cross-examination outlines [6.0].
2626	06/02/13	Higa	5.00	\$ 155.00	\$ 775.00	Attend L. Alvarez preparation session; revise powerpoint formatting; gather trial preparation material;
2627	06/02/13	Fisher	2.50	\$ 330.00	\$ 825.00	Prepare for motions in limine argument;
2628	06/02/13	Williams	3.60	\$ 580.00	\$ 2,088.00	Meet with L. Alvarez and trial team for witness preparation; continue preparing opening statement for trial;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2629	06/02/13	Roos	5.90	\$ 465.00	\$ 2,743.50	Draft outlines for direct testimony of J. Aarstad and B. Harrison; review documents relating to same; revise outline for direct testimony of C. Jackson;
2630	06/03/13	Boschen	8.60	\$ 150.00	\$ 1,290.00	Continued work on trial preparation, witnesses, exhibits, evidence and closing statement.
2631	06/03/13	Marshall	13.30	\$ 375.00	\$ 4,987.50	Prepared for, traveled to, participated in, and returned from trial [9.1]; prepared for next trial day and worked on examination outlines [4.2].
2632	06/03/13	Higa	13.00	\$ 155.00	\$ 2,015.00	Attend and support trial team logistics and technology services; transport material for war room and assemble same; review email regarding trial exhibits and prepare response to same;
2633	06/03/13	Fisher	9.60	\$ 330.00	\$ 3,168.00	Attend trial; meeting with trial team
2634	06/03/13	Williams	12.00	\$ 580.00	\$ 6,960.00	Prepare for and attend trial day no. 1 in U.S. District Court; debrief with team on results of the day; meet with C. Jackson and B. Roos to review expert testimony;
2635	06/03/13	Roos	11.70	\$ 465.00	\$ 5,440.50	Attend trial; conference with trial team regarding same; conference regarding and prepare for direct testimony of C. Jackson; review exhibits relating to same;
2636	06/04/13	Boschen	3.80	\$ 150.00	\$ 570.00	Continued work on trial preparation, witnesses, exhibits, evidence and closing statement.
2637	06/04/13	Marshall	13.10	\$ 375.00	\$ 4,912.50	Prepared for, traveled to, participated in, and returned from trial [9.5]; prepared for next trial day and worked on examination outlines [3.6].
2638	06/04/13	Higa	14.50	\$ 155.00	\$ 2,247.50	Attend and support trial team logistics and technology services; review exhibits in anticipation of following days' examinations; review witness outlines to prepare for same; review C. Jackson testimony;
2639	06/04/13	Roos	10.10	\$ 465.00	\$ 4,696.50	Prepare for direct examination of C. Jackson; attend trial; conference with trial team regarding same; prepare for direct examination of B. Harrison;
2640	06/04/13	Williams	10.70	\$ 580.00	\$ 6,206.00	Prepare for and attend trial day #2 in U.S. District Court; prepare for expert witness examination of John Strait;
2641	06/04/13	Fisher	3.50	\$ 330.00	\$ 1,155.00	Attend trial
2642	06/05/13	Boschen	2.60	\$ 150.00	\$ 390.00	Continued work on trial preparation, evidence, exhibits and closing statement.
2643	06/05/13	Marshall	13.40	\$ 375.00	\$ 5,025.00	Prepared for, traveled to, participated in, and returned from trial [9.7]; prepared for next trial day and worked on examination outlines [3.7].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2644	06/05/13	Higa	10.50	\$ 155.00	\$ 1,627.50	Attend and support trial team logistics and technology services; review exhibits in anticipation of following days' examinations; review witness outlines to prepare for same;
2645	06/05/13	Roos	12.70	\$ 465.00	\$ 5,905.50	Prepare for direct examination of B. Harrison and J. Aarstad; attend trial; conference with trial team regarding same; prepare for direct examination of J. O'Neill; conference with J. Williams and J. Strait regarding expert witness testimony;
2646	06/05/13	Williams	12.10	\$ 580.00	\$ 7,018.00	Attend Day #3 of trial; meet with trial team for #4 strategy; meet with expert John Strait on trial preparation;
2647	06/06/13	Boschen	3.50	\$ 150.00	\$ 525.00	Continued work on trial preparation, exhibits, evidence and closing statement; personal conferences and correspondence regarding same.
2648	06/06/13	Marshall	12.30	\$ 375.00	\$ 4,612.50	Prepared for, traveled to, participated in, and returned from trial [6.4]; meeting with experts regarding trial strategy [.5]; worked on cross-examination outlines [5.4].
2649	06/06/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	Discuss trial strategy/status w/ co-counsel.
2650	06/06/13	Higa	11.60	\$ 155.00	\$ 1,798.00	Attend and support trial team logistics and technology services;
2651	06/06/13	Williams	8.20	\$ 580.00	\$ 4,756.00	Prepare for and attend Trial Day #4 in U.S. District Court; meet with trial team for debrief and strategy session on upcoming week; develop cross-examination outline for Snyder and Feldman; exchange emails with trial team;
2652	06/06/13	Roos	6.10	\$ 465.00	\$ 2,836.50	Prepare for direct examination of J. Aarstad and J. O'Neill; attend trial; conference with trial team regarding same;
2653	06/07/13	Boschen	6.40	\$ 150.00	\$ 960.00	Continued work on trial preparation, witnesses, exhibits and evidence; personal conferences and correspondence regarding same.
2654	06/07/13	Marshall	11.40	\$ 375.00	\$ 4,275.00	Telephone conference with Mr. Gipe regarding admission of confidential documents at trial and analyzed issues regarding same [.3]; worked on cross-examinations and other trial preparation [11.1].
2655	06/07/13	Higa	2.10	\$ 155.00	\$ 325.50	Order transcript from Strait testimony, coordinate delivery and transmission to team; attend litigation team conference to prepare for cross examination of defendants' witnesses;
2656	06/07/13	Williams	5.00	\$ 580.00	\$ 2,900.00	Begin research on Scott Snyder background and prepare cross-examination outline; meet with trial team to discuss approach to cross examining City Attorneys and prosecutors; begin preparing for cross examination of expert Feldman;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2657	06/07/13	Roos	3.20	\$ 465.00	\$ 1,488.00	Communications regarding trial status; conference with J. Williams regarding cross examinations of defendants' witnesses; review documents relating to same; review C. Jackson testimony in preparation for cross examinations of defendants' witnesses;
2658	06/07/13	Fisher	3.40	\$ 330.00	\$ 1,122.00	Create admitted exhibits list; create outline for cross of M. Van de Grift;
2659	06/08/13	Marshall	7.10	\$ 375.00	\$ 2,662.50	Worked on trial preparation and cross-examination outlines and reviewed documents for examinations [7.1].
2660	06/08/13	Higa	2.00	\$ 155.00	\$ 310.00	Review exhibits for cross-examination of witnesses and prepare collection of same;
2661	06/08/13	Williams	5.00	\$ 580.00	\$ 2,900.00	Continue trial preparation and development of Snyder cross examination; begin drafting cross examination for prosecutors and Municipal Court judges;
2662	06/08/13	Fisher	1.20	\$ 330.00	\$ 396.00	Draft cross examination outline for M. Van De Grift;
2663	06/09/13	Boschen	8.10	\$ 150.00	\$ 1,215.00	Continued work on trial preparation, witnesses, exhibits, evidence and closing statement; personal conferences and correspondence regarding same.
2664	06/09/13	Marshall	10.20	\$ 375.00	\$ 3,825.00	Worked on trial preparation and cross-examination outlines and reviewed documents for same [10.2].
2665	06/09/13	Fisher	1.40	\$ 330.00	\$ 462.00	Edit cross-examination outline for M. Van De Grift; read transcripts;
2666	06/09/13	Higa	4.50	\$ 155.00	\$ 697.50	Review defendants' trial exhibit list, reformat, and incorporate same into trial exhibit tracking sheet; review exhibits for material in anticipation of cross examination;
2667	06/09/13	Williams	4.60	\$ 580.00	\$ 2,668.00	Continue trial preparation and development of Snyder cross examination; begin drafting cross examination for prosecutors and Municipal Court judges;
2668	06/09/13	Roos	3.20	\$ 465.00	\$ 1,488.00	Review documents relating to C. Cammock; prepare cross examination of same;
2669	06/10/13	Boschen	11.40	\$ 150.00	\$ 1,710.00	Continued work on trial preparation, witnesses, exhibits, evidence and closing statement; personal conferences and correspondence regarding same.
2670	06/10/13	Marshall	14.40	\$ 375.00	\$ 5,400.00	Prepared for, traveled to, participated in, and returned from trial [9.3]; worked on cross-examination outlines for Mr. Witt and Mr. Sybrandy [5.1].
2671	06/10/13	Higa	9.00	\$ 155.00	\$ 1,395.00	Attend and support trial team logistics and technology services;
2672	06/10/13	Roos	9.90	\$ 465.00	\$ 4,603.50	Attend trial; conference with trial team regarding same; prepare for cross examinations of witnesses;
2673	06/10/13	Fisher	2.30	\$ 330.00	\$ 759.00	Edit M. Van De Grift outline for cross examination; pull Eason exhibits;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2674	06/10/13	Williams	10.00	\$ 580.00	\$ 5,800.00	Attend trial Day #5; meet with trial team and continue developing cross examination of prosecutor Eason;
2675	06/11/13	Boschen	7.30	\$ 150.00	\$ 1,095.00	Continued work on trial preparation, exhibits and closing statement.
2676	06/11/13	Marshall	11.60	\$ 375.00	\$ 4,350.00	Prepared for, traveled to, participated in, and returned from trial [9.1]; worked on cross-examination outlines [2.5].
2677	06/11/13	Higa	14.50	\$ 155.00	\$ 2,247.50	Attend and support trial team logistics and technology services; review cross-examination outlines and prepare Trial Director workbooks and exhibits in anticipation of cross examinations; review trial exhibits for documents related to Judges and prepare email summarizing findings; re-format depositions for upcoming witnesses and load same into Trial Director;
2678	06/11/13	Roos	10.50	\$ 465.00	\$ 4,882.50	Attend trial; conference with trial team regarding same; draft summary of trial testimony; prepare for cross examinations of witnesses;
2679	06/11/13	Fisher	3.90	\$ 330.00	\$ 1,287.00	Read transcripts from June 4, 2013; trial; update admitted trial exhibits;
2680	06/11/13	Williams	12.00	\$ 580.00	\$ 6,960.00	Prepare for and attend Day #6 of trial; meet with trial team to discuss strategy for Day #7; continue preparation of Ladenberg and Feldman cross examinations; continue developing cross examination of Municipal Court judges;
2681	06/12/13	Boschen	6.80	\$ 150.00	\$ 1,020.00	Continued work on closing statement; personal conferences and correspondence regarding same.
2682	06/12/13	Marshall	11.80	\$ 375.00	\$ 4,425.00	Prepared for, traveled to, participated in, and returned from trial [9.5]; worked on summarizing materials for closing argument [2.3].
2683	06/12/13	Higa	8.50	\$ 155.00	\$ 1,317.50	Attend and support trial team logistics and technology services; attend conference regarding closing arguments and prepare email to co-counsel paralegal to coordinate technology support; coordinate additional technological support for co-counsel by attending telephone conferences and preparing email requests for equipment; review file for defendants' exhibits and provide same to co-counsel paralegal;
2684	06/12/13	Roos	10.80	\$ 465.00	\$ 5,022.00	Attend trial; conference with trial team regarding same; prepare for cross examinations of judges; review documents relating to same;
2685	06/12/13	Fisher	8.20	\$ 330.00	\$ 2,706.00	Attend trial
2686	06/12/13	Williams	12.00	\$ 580.00	\$ 6,960.00	Prepare for and attend trial day #7; draft cross-examination outline for Judge Svaren; exchange emails with trial team on strategy for cross-examining judges;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2687	06/13/13	Boschen	3.70	\$ 150.00	\$ 555.00	Continued work on closing statement; personal conferences and correspondence regarding same; coordinated closing presentation logistics; telephone conference with client.
2688	06/13/13	Marshall	9.80	\$ 375.00	\$ 3,675.00	Prepared for, traveled to, participated in, and returned from trial [4.1]; worked on exhibit issues [.1]; worked on summaries of testimony and exhibits for closing argument [5.6].
2689	06/13/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Discuss case status/strategy w/ co-counsel.
2690	06/13/13	Higa	5.50	\$ 155.00	\$ 852.50	Attend and support trial team logistics and technology services; prepare revised Plaintiffs' exhibit list and send same to Court Clerk; coordinate clean-up of court war room with messengers and attend clean-up;
2691	06/13/13	Roos	5.60	\$ 465.00	\$ 2,604.00	Attend trial; conference with trial team regarding same; review notes from trial in preparation for closing arguments;
2692	06/13/13	Fisher	4.10	\$ 330.00	\$ 1,353.00	Review judge's cross-examination outlines; cross-check exhibits for closing purposes; trial;
2693	06/13/13	Williams	7.50	\$ 580.00	\$ 4,350.00	Continue creating cross-examination outline for Judge Svaren; prepare for and attend trial day #8;
2694	06/14/13	Boschen	2.30	\$ 150.00	\$ 345.00	Telephone conference regarding closing arguments; continued work on closing statement.
2695	06/14/13	Marshall	9.60	\$ 375.00	\$ 3,600.00	Worked on outline of closing argument [6.7]; meeting with co-counsel regarding same and travel to and from meeting [2.9].
2696	06/14/13	Zuchetto	2.00	\$ 330.00	\$ 660.00	Review closing outline/presentation, participate in prep. of closing, and e-mail co-counsel re same.
2697	06/14/13	Higa	2.00	\$ 155.00	\$ 310.00	Attend conference regarding closing argument and prepare technology support for same;
2698	06/14/13	Roos	2.50	\$ 465.00	\$ 1,162.50	Conference with team regarding closing arguments;
2699	06/14/13	Fisher	2.60	\$ 330.00	\$ 858.00	Organize notes; add exhibits admitted; prepare for closing argument meeting;
2700	06/14/13	Williams	4.00	\$ 580.00	\$ 2,320.00	Prepare for and meet with trial team to discuss content of closing argument and strongest testimony for Wilbur case;
2701	06/15/13	Boschen	0.20	\$ 150.00	\$ 30.00	Worked on closing statement [.2].
2702	06/15/13	Marshall	5.40	\$ 375.00	\$ 2,025.00	Worked on closing argument and powerpoint presentation and reviewed exhibits for same [5.4].
2703	06/16/13	Boschen	0.20	\$ 150.00	\$ 30.00	Continued work on closing statement and correspondence regarding same [.2].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2704	06/16/13	Marshall	9.10	\$ 375.00	\$ 3,412.50	Reviewed exhibits and testimony for closing argument, worked on outline of same, and worked on powerpoint presentation [9.1].
2705	06/17/13	Boschen	3.20	\$ 150.00	\$ 480.00	Worked on closing statement [3.2].
2706	06/17/13	Marshall	14.60	\$ 375.00	\$ 5,475.00	Worked on closing argument and powerpoint presentation for same; reviewed exhibits and testimony for closing argument [14.6].
2707	06/17/13	Zuchetto	2.00	\$ 330.00	\$ 660.00	Review closing statement exhibits and work on closing w/ co-counsel.
2708	06/17/13	Fisher	0.80	\$ 330.00	\$ 264.00	Reply to T. Marshall's email regarding deposition designations;
2709	06/17/13	Williams	4.00	\$ 580.00	\$ 2,320.00	Review evidence and assist with preparation of closing argument; participate in dry-run of closing argument; discuss strategy with trial team;
2710	06/18/13	Boschen	9.70	\$ 150.00	\$ 1,455.00	Completed work on closing statement; travel to court for closing arguments [9.7]
2711	06/18/13	Marshall	9.50	\$ 375.00	\$ 3,562.50	Worked on outline for closing argument and powerpoint presentation for same [5.8]; to court for hearing on closing argument [.4]; attended same [2.7]; meeting with co-counsel regarding same [.2]; returned from same [.4].
2712	06/18/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	Debrief co-counsel re closing.
2713	06/18/13	Williams	4.00	\$ 580.00	\$ 2,320.00	Attend closing arguments at US District Court; meet with trial team after closing arguments to discuss supplemental briefing and comments from the Court;
2714	06/18/13	Fisher	3.00	\$ 330.00	\$ 990.00	Attend closing arguments;
2715	06/18/13	Roos	3.20	\$ 465.00	\$ 1,488.00	Attend closing arguments; conferences regarding same;
2716	06/20/13	Williams	0.50	\$ 580.00	\$ 290.00	Review emails from trial team; conference call with ACLU on trial results and likelihood of success;
2717	06/24/13	Marshall	0.30	\$ 375.00	\$ 112.50	Telephone call from Mr. Wilbur regarding trial and case status [.2]; reviewed court's witness and exhibit lists from trial [.1].
2718	06/27/13	Boschen	0.20	\$ 150.00	\$ 30.00	Personal confrence regarding class representative.
2719	06/28/13	Marshall	1.50	\$ 375.00	\$ 562.50	Reviewed court order regarding post-trial briefing and researched and analyzed issues regarding same [1.5].
2720	06/28/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review and analyze Court's order re supplemental briefing.
2721	06/28/13	Dunne	3.70	\$ 380.00	\$ 1,406.00	Review Order from court re supplemental briefing; email correspondence with co-counsel re same; email with J. Strait re Order from Court re supplemental briefing; conduct legal research re Order requesting supplemental briefing.
2722	06/28/13	Roos	0.80	\$ 465.00	\$ 372.00	Review court order regarding additional briefing; review prior research relating to same; communications relating to same;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2723	06/28/13	Williams	1.50	\$ 580.00	\$ 870.00	Review Court's order requesting supplemental briefing on four questions; coordinate with trial team on four questions from court and set up conference call; exchange emails with expert witnesses on same;
2724	07/02/13	Marshall	1.10	\$ 375.00	\$ 412.50	Researched and analyzed issues for response to court's questions regarding caseloads, etc., and email correspondence with co-counsel and experts regarding same [1.1].
2725	07/03/13	Marshall	2.70	\$ 375.00	\$ 1,012.50	Researched and analyzed issues for responses to court's questions on caseload standards, etc. [1.0]; and telephone conference with Mr. Zuchetto regarding same [.4]; telephone conference with co-counsel and experts regarding same [1.3].
2726	07/03/13	Zuchetto	3.75	\$ 330.00	\$ 1,237.50	Preparation for team meeting re supplemental briefing and participate in same (2.75); Discuss post trial questions from Court w/ co-counsel (1.0).
2727	07/03/13	Dunne	1.90	\$ 380.00	\$ 722.00	Telephone conference with co-counsel re Order for supplemental briefing; telephone conference with J. Strait re Order for supplemental briefing; email and telephone correspondence with DOJ re Order for supplemental briefing.
2728	07/03/13	Talner	3.40	\$ 400.00	\$ 1,360.00	t/c w/co-counsel to discuss response to court's briefing order; research re court's briefing order
2729	07/03/13	Roos	1.50	\$ 465.00	\$ 697.50	Telephone conference with team regarding post-trial briefing; communications regarding follow-up from same;
2730	07/03/13	Williams	2.50	\$ 580.00	\$ 1,450.00	Prepare for and participate in trial team conference call; develop strategy for responding to Court's request for supplemental briefing; meet with Perkins Coie team to discuss division of labor;
2731	07/03/13	Fisher	1.30	\$ 330.00	\$ 429.00	Participate in team call; draft and send team deadlines and tasks;
2732	07/05/13	Dunne	0.20	\$ 380.00	\$ 76.00	Telephone conference and email correspondence with D. Leff re Order for supplemental briefing.
2733	07/05/13	Roos	3.20	\$ 465.00	\$ 1,488.00	Draft post-trial brief; research regarding caseload standards and previous holdings under Monell;
2734	07/05/13	Williams	1.00	\$ 580.00	\$ 580.00	Review emails from ACLU on progress made to provide data to support answers to the Court's questions; review emails to and from M. Boman on caseload information;
2735	07/08/13	Marshall	0.70	\$ 375.00	\$ 262.50	Researched and analyzed issues regarding jurisdictions with hard caseloads [.4]; telephone conferences with co-counsel regarding possibility for amicus brief by DOJ [.2]; analyzed issues regarding same [.1].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2736	07/08/13	Dunne	1.50	\$ 380.00	\$ 570.00	Email correspondence with DOJ re potential amicus brief; telephone conference with T. Marshall re supplemental briefing and amicus briefs; telephone conference with J. Williamson re supplemental briefing and amicus briefs; email correspondence with national experts regarding supplemental briefing and amicus briefs.
2737	07/08/13	Talner	3.50	\$ 400.00	\$ 1,400.00	t/c's w/indigent defense experts to answer questions in judge's briefing order; research and gather materials to answer questions in judge's briefing order
2738	07/08/13	Roos	2.40	\$ 465.00	\$ 1,116.00	Research regarding post-trial briefing issues;
2739	07/09/13	Marshall	4.50	\$ 375.00	\$ 1,687.50	Researched and analyzed issues regarding caseload limitations in other states and email correspondence with co-counsel regarding same [.3]; reviewed Washington city and county codes regarding caseload limits and supervision requirements, drafted memorandum and prepared spreadsheet regarding same, and email correspondence with co-counsel regarding same [4.2].
2740	07/09/13	Zuchetto	0.10	\$ 330.00	\$ 33.00	E-mail co-counsel re consulting expert.
2741	07/09/13	Talner	2.20	\$ 400.00	\$ 880.00	Conduct legal research and gather materials to answers questions in judge's briefing order
2742	07/09/13	Roos	1.60	\$ 465.00	\$ 744.00	Conference with J. Williams regarding post-trial briefing; research relating to same;
2743	07/10/13	Marshall	2.50	\$ 375.00	\$ 937.50	Researched and analyzed issues for post-trial briefing response to Question 4 [2.0]; telephone conference with co-counsel regarding post-trial briefing response to all questions [.5].
2744	07/10/13	Talner	1.10	\$ 400.00	\$ 440.00	research and gather materials to answer questions in judge's briefing order, t/c w/co-counsel to discuss response to the briefing order
2745	07/10/13	Roos	1.80	\$ 465.00	\$ 837.00	Conference with team regarding post-trial briefing; research relating to same;
2746	07/10/13	Williams	1.00	\$ 580.00	\$ 580.00	Prepare for and participate in trial team conference call on response to Judge's request for supplemental briefing; meet with B. Roos and C. Fisher to discuss Perkins Coie action items for supplemental briefing;
2747	07/11/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Research re prevailing party/mootness issues and e-mail co-counsel re same.
2748	07/11/13	Dunne	0.40	\$ 380.00	\$ 152.00	Telephone conference with L. Dupers re amicus brief.
2749	07/11/13	Talner	3.50	\$ 400.00	\$ 1,400.00	research and gather materials to answer questions in judge's briefing order,

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2750	07/11/13	Roos	0.90	\$ 465.00	\$ 418.50	Research regarding post-trial briefing; communications regarding relevant documents from Grant County matter; prepare same for potential amicus;
2751	07/11/13	Williams	0.80	\$ 580.00	\$ 464.00	Exchange emails with ACLU on status of responses to supplemental briefing;
2752	07/12/13	Marshall	2.90	\$ 375.00	\$ 1,087.50	Researched and analyzed issues regarding court's post-trial questions [2.3]; telephone conference with ACLU affiliates regarding same [.6].
2753	07/12/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	Discuss research re prevailing party w/ co-counsel and review comments. re same.
2754	07/12/13	Talner	0.50	\$ 400.00	\$ 200.00	t/c w/national experts on indigent defense cases, research and gather materials to answer questions in judge's briefing order
2755	07/12/13	Roos	1.90	\$ 465.00	\$ 883.50	Draft post-trial briefing relating to caseload standards; telephone conference with ACLU counsel regarding same;
2756	07/15/13	Boschen	0.10	\$ 150.00	\$ 15.00	Telephone conference with client [.1].
2757	07/15/13	Marshall	2.10	\$ 375.00	\$ 787.50	Telephone conferences with co-counsel and consulting expert regarding potential amicus briefs [1.3]; analyzed and worked on issues regarding same [.3]; worked on research for court's post-trial questions [.5].
2758	07/15/13	Zuchetto	1.75	\$ 330.00	\$ 577.50	Review e-mail from co-counsel re supplemental briefing and discuss same w/ co-counsel and call to potential amici/support re same.
2759	07/15/13	Talner	4.80	\$ 400.00	\$ 1,920.00	t/c w/expert re briefing order; research and draft answers court's questions in briefing order
2760	07/15/13	Roos	2.90	\$ 465.00	\$ 1,348.50	Telephone conference with ACLU regarding post-trial briefing; review ACLU outline and documents regarding same; draft post-trial briefing;
2761	07/16/13	Marshall	3.40	\$ 375.00	\$ 1,275.00	Researched and analyzed issues regarding response to question 4 [1.0]; researched and analyzed issues regarding response to question 1, particularly waiver of abstention defense for cases removed to federal court, and worked on outline to same [2.4].
2762	07/16/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review transcript re response to Judge's questions.
2763	07/16/13	Talner	2.80	\$ 400.00	\$ 1,120.00	research and draft answers to court's questions in briefing order
2764	07/16/13	Roos	1.50	\$ 465.00	\$ 697.50	Draft post-trial briefing;
2765	07/17/13	Marshall	1.00	\$ 375.00	\$ 375.00	Telephone conferences with co-counsel regarding progress of response to Court's post-trial questions [.5]; worked on post-trial briefing [.5].
2766	07/17/13	Zuchetto	0.75	\$ 330.00	\$ 247.50	Participate in litigation strategy call (.5); E-mail consulting expert re potential amicus issues (.25).
2767	07/17/13	Talner	2.20	\$ 400.00	\$ 880.00	t/c w/co-counsel to discuss court's briefing order; research and draft answers to court's questions in briefing order

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2768	07/17/13	Williams	1.00	\$ 580.00	\$ 580.00	Prepare for and participate in trial team conference call on supplemental submission; meet with B. Roos to discuss strategic use of ACLU materials;
2769	07/17/13	Roos	2.90	\$ 465.00	\$ 1,348.50	Telephone conference with team regarding post-trial briefing; draft post-trial briefing; review ACLU outline regarding same;
2770	07/18/13	Marshall	2.20	\$ 375.00	\$ 825.00	Worked on outline of response to Question 4 [.8]; researched and analyzed issues regarding same [1.4].
2771	07/18/13	Zuchetto	0.75	\$ 330.00	\$ 247.50	Review draft outline re response to Court's questions and e-mail co-counsel re same.
2772	07/18/13	Dunne	0.80	\$ 380.00	\$ 304.00	Telephone conference with co-counsel re supplemental briefing and potential amicus briefs.
2773	07/18/13	Talner	2.50	\$ 400.00	\$ 1,000.00	research and draft answers to court's questions in briefing order
2774	07/18/13	Roos	3.30	\$ 465.00	\$ 1,534.50	Draft post-trial briefing regarding court enforcement of public defense standards; research relating to same;
2775	07/19/13	Roos	2.70	\$ 465.00	\$ 1,255.50	Draft post-trial briefing regarding caseloads and court enforcement of public defense standards; research relating to same;
2776	07/22/13	Marshall	3.40	\$ 375.00	\$ 1,275.00	Analyzed issues regarding responses to questions one and three and materials in support of same [.2]; researched and analyzed issues for response to question number four [3.2].
2777	07/22/13	Roos	3.60	\$ 465.00	\$ 1,674.00	Draft post-trial briefing; research relating to same; prepare appendices in support of same;
2778	07/23/13	Boschen	0.60	\$ 150.00	\$ 90.00	Filing regarding additional briefing.
2779	07/23/13	Marshall	6.20	\$ 375.00	\$ 2,325.00	Continued researching and analyzing issues for response to question number four [4.4]; worked on draft of same [1.8].
2780	07/23/13	Roos	4.90	\$ 465.00	\$ 2,278.50	Draft post-trial briefing; research relating to same; prepare appendices in support of same;
2781	07/23/13	Williams	0.30	\$ 580.00	\$ 174.00	Review and exchange emails with ACLU on input for supplemental questions from Judge Lasnik;
2782	07/24/13	Marshall	5.80	\$ 375.00	\$ 2,175.00	Worked on response to question four [4.7]; researched and analyzed issues regarding same [.5]; telephone conference and email correspondence with with co-counsel regarding same [.6].
2783	07/24/13	Zuchetto	2.00	\$ 330.00	\$ 660.00	Review/edit supplement brief re questions from Judge Lasnik and discuss same w/ co-counsel.
2784	07/24/13	Roos	3.90	\$ 465.00	\$ 1,813.50	Draft post-trial briefing; research relating to same; prepare appendices in support of same;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2785	07/24/13	Williams	2.50	\$ 580.00	\$ 1,450.00	Review and edit plaintiffs' post-trial brief response to June 28, 2013, order; meet with B. Roos to discuss same;
2786	07/25/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review draft response re Judge Lasnik question and e-mail co-counsel re same.
2787	07/25/13	Roos	2.10	\$ 465.00	\$ 976.50	Draft post-trial briefing; research relating to same;
2788	07/25/13	Williams	3.50	\$ 580.00	\$ 2,030.00	Continue editing plaintiffs' post-trial brief and integrate answer to question no. 4 from T. Marshall and M. Zuchetto;
2789	07/26/13	Roos	3.70	\$ 465.00	\$ 1,720.50	Draft post-trial briefing; research relating to same; prepare appendices in support of same;
2790	07/26/13	Williams	0.70	\$ 580.00	\$ 406.00	Meet with B. Roos to discuss draft of plaintiffs' response to court's request for supplemental briefing; review final draft of response to court's request for supplemental briefing and B. Roos transmittal to trial team;
2791	07/29/13	Talner	0.80	\$ 400.00	\$ 320.00	review revised draft of post-trial brief and provide comments to co-counsel, research supporting documents for post-trial brief
2792	07/29/13	Roos	1.80	\$ 465.00	\$ 837.00	Communications regarding post-trial briefing; revise post-trial briefing to incorporate team comments;
2793	07/30/13	Marshall	2.80	\$ 375.00	\$ 1,050.00	Worked on post-trial brief and researched and researched and analyzed issues regarding same [2.8].
2794	07/30/13	Zuchetto	1.00	\$ 330.00	\$ 330.00	Edit brief re supplement brief request from Judge Lasnik and e-mail co-counsel re same.
2795	07/30/13	Roos	2.60	\$ 465.00	\$ 1,209.00	Revise pretrial brief; prepare appendices regarding same; research regarding Washington county caseload standards;
2796	07/31/13	Marshall	0.50	\$ 375.00	\$ 187.50	Worked on post-trial briefing [.1]; telephone conference with co-counsel regarding same [.4].
2797	07/31/13	Zuchetto	1.00	\$ 330.00	\$ 330.00	Prepare for and participate in litigation strategy call re Judge Lasnik's questions.
2798	07/31/13	Roos	2.10	\$ 465.00	\$ 976.50	Telephone conference with team regarding post-trial briefing; revise post-trial briefing; prepare appendices relating to same;
2799	07/31/13	Williams	1.50	\$ 580.00	\$ 870.00	Prepare for and participate in conference call with trial team on finalization of brief responding to Court's supplemental questions;
2800	08/01/13	Marshall	1.10	\$ 375.00	\$ 412.50	Researched and analyzed issues regarding post-trial brief and email correspondence with co-counsel regarding same [.4]; worked on post-trial briefing [.7].
2801	08/01/13	Zuchetto	1.00	\$ 330.00	\$ 330.00	Review/analyze brief re amicus and e-mail co-counsel re same.

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2802	08/01/13	Roos	0.40	\$ 465.00	\$ 186.00	Revise post-trial brief; review exhibits for inclusion in appendices for same;
2803	08/02/13	Marshall	0.40	\$ 375.00	\$ 150.00	Telephone call from co-counsel regarding WDA amicus brief [.2]; worked on same [.2].
2804	08/02/13	Williams	1.00	\$ 580.00	\$ 580.00	Review and approve final draft of plaintiffs' post-trial brief in response to June 28, 2013, order from Court; meet with B. Roos and C. Fisher to discuss finalization of appendix and filing with Court;
2805	08/06/13	Marshall	1.10	\$ 375.00	\$ 412.50	Searched internet and databases for executed version of Flournoy consent decree [.3]; emails to Ms. Lucas, Mr. Caplan, and Ms. Velez regarding same [.3]; worked on obtaining additional materials for post-trial briefing [.3]; reviewed materials from Flournoy case [.2].
2806	08/07/13	Marshall	2.80	\$ 375.00	\$ 1,050.00	Telephone conference with co-counsel and Ms. Jackson regarding post-trial briefing and related issues [.3]; telephone conference with Mr. Zuchetto regarding Washington jurisdictions with caseload standards [.2]; worked on WDA brief and email to co-counsel regarding same [.5]; researched and analyzed issues regarding additional citations for post-trial brief and reviewed materials related to same [1.5]; email correspondence with co-counsel regarding same [.1]; worked on revisions to post-trial brief [.2].
2807	08/07/13	Zuchetto	2.50	\$ 330.00	\$ 825.00	Prepare for and participate in litigation strategy call and discuss amici/supplemental brief w/ co-counsel (1.0); Review/analyze amicus brief (.25); Discuss amicus filing w/ co-counsel and review research/codes re same (1.25).
2808	08/07/13	Dunne	1.10	\$ 380.00	\$ 418.00	Telephone conference with co-counsel re post-trial briefing; email and telephone correspondence with DOJ re DOJ amicus brief; review email correspondence with co-counsel re case examples for post-trial briefing;
2809	08/07/13	Williams	0.80	\$ 580.00	\$ 464.00	Participate in trial team conference call with experts on draft supplemental briefing; coordinate with B. Boruchowitz on expert witness report;
2810	08/08/13	Marshall	0.20	\$ 375.00	\$ 75.00	Telephone conference with expert regarding post-trial brief [.1]; email correspondence with co-counsel regarding materials to include in same [.1].
2811	08/08/13	Dunne	0.50	\$ 380.00	\$ 190.00	Telephone conference with J. Strait re post-trial brief on remedy
2812	08/08/13	Fisher	1.80	\$ 330.00	\$ 594.00	Edit post-trial brief to include additional cites;
2813	08/08/13	Williams	0.50	\$ 580.00	\$ 290.00	Participate in conference call with expert John Strait and ACLU on Supplemental Brief; provide instructions to C. Fisher on finalization of brief;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2814	08/09/13	Marshall	0.50	\$ 375.00	\$ 187.50	Analyzed issues regarding Mr. Cooley's request to omit appendices from post-trial briefing and email correspondence with co-counsel and opposing counsel regarding same [.2]; reviewed final version of post-trial brief and appendices in support of same [.3].
2815	08/09/13	Williams	0.50	\$ 580.00	\$ 290.00	Coordinate team response to Cities' attorney on use of appendices for Supplemental Briefing;
2816	08/11/13	Williams	1.00	\$ 580.00	\$ 580.00	Review final draft of Supplemental Briefing;
2817	08/12/13	Williams	0.50	\$ 580.00	\$ 290.00	Exchange emails with trial team on amicus brief and plan for filing supplemental briefing;
2818	08/13/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Review NY court decision re monitor and e-mail co-counsel re same.
2819	08/14/13	Kinsey	0.30	\$ 100.00	\$ 30.00	Prepared draft and finalized TMDW notice of change of address; arranged filing and service.
2820	08/14/13	Marshall	0.90	\$ 375.00	\$ 337.50	Reviewed Department of Justice's statement of interest and analyzed issues regarding same [.6]; reviewed defendants' post-trial brief and analyzed issues regarding same [.3].
2821	08/14/13	Zuchetto	0.75	\$ 330.00	\$ 247.50	Review amicus filings.
2822	08/14/13	Williams	2.40	\$ 580.00	\$ 1,392.00	Review Defender Association motion for leave to file amicus brief and attached amicus brief; final review and edits to plaintiffs' post-trial brief in response to June 28, 2013, order; review statement of interest of United States Department of Justice; review Cities' response to court's order for further briefing;
2823	08/15/13	Zuchetto	0.25	\$ 330.00	\$ 82.50	Review defs' supplemental briefing.
2824	09/03/13	Boschen	0.10	\$ 150.00	\$ 15.00	Telephone conference with client [.1].
2825	09/08/13	Marshall	0.10	\$ 375.00	\$ 37.50	Email correspondence with mother of potential class member [.1].
2826	09/11/13	Boschen	0.10	\$ 150.00	\$ 15.00	Telephone conference with client [.1].
2827	09/26/13	Boschen	0.20	\$ 150.00	\$ 30.00	Received message and telephone call from client [.2].
2828	12/04/13	Marshall	1.60	\$ 375.00	\$ 600.00	Reviewed court's memorandum of decision and analyzed issues regarding same [1.4]; worked on website notice update regarding decision [.2].
2829	12/04/13	Zuchetto	1.50	\$ 330.00	\$ 495.00	Review/analyze Court's order and discuss same w/ co-counsel.
2830	12/04/13	Williams	4.00	\$ 580.00	\$ 2,320.00	Review and analyze Court's Memorandum Decision with findings and conclusions; coordinate with trial team on case results; coordinate with C. Fisher on drafting talking points and Q&A memos; begin search for potential system supervisor suggestions;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	SUBTOTAL	DESCRIPTION OF WORK
2831	12/05/13	Marshall	0.40	\$ 375.00	\$ 150.00	Email correspondence with various individuals regarding court's ruling and order of injunctive relief [.3]; drafted letter to Mr. Wilbur and email to Ms. Montague regarding same [.1].
2832	12/05/13	Zuchetto	1.50	\$ 330.00	\$ 495.00	Review Court's order and discuss same and next steps w/ team.
2833	12/05/13	Dunne	0.40	\$ 380.00	\$ 152.00	Telephone conference with DOJ and US Attorneys office re verdict and injunctive relief;
2834	12/06/13	Marshall	1.80	\$ 375.00	\$ 675.00	Prepared for telephone conference with co-counsel and analyzed issues regarding selection of supervisor and filing of motion for fees and costs [.2]; telephone conference with co-counsel regarding court's ruling, selection of supervisor, motion for fees and costs, and division of work [1.0]; worked on docketing of various deadlines [.1]; left messages with Mr. Moon and Ms. Osborne regarding court's decision [.1]; email to Mr. Moon regarding same [.1]; telephone call from Mr. Moon regarding same [.2]; email to team updating them on Mr. Moon [.1].
2835	12/06/13	Williams	1.30	\$ 580.00	\$ 754.00	Prepare for trial team meeting on court's order and action items; chair trial team conference call and cover agenda items; coordinate with C. Fisher on assembly of fee petition;
2836	12/06/13	Dunne	0.80	\$ 380.00	\$ 304.00	Telephone conference with co-counsel re remedy implementation
2837	12/12/13	Dunne	0.30	\$ 380.00	\$ 114.00	Telephone conference with Bryan Harrison re remedy implementation
2838	12/12/13	Zuchetto	0.50	\$ 330.00	\$ 165.00	Discuss call w/ Harrison w/ co-counsel. re supervisor selection process.
2839						
2840			6868.95		\$ 2,396,423.52	

— APPENDIX B —

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
2	1/18/2011	Reproduction (B&W)	\$ 0.15
3	1/18/2011	Reproduction (Color)	\$ 7.00
4	1/18/2011	Westlaw charges	\$ 31.77
5	1/24/2011	Reproduction (B&W)	\$ 2.85
6	3/2/2011	Reproduction (B&W)	\$ 8.40
7	3/8/2011	Meals	\$ 32.23
8	3/8/2011	Mileage	\$ 61.12
9	3/8/2011	Mileage	\$ 61.12
10	3/8/2011	Mileage	\$ 61.14
11	3/8/2011	Parking	\$ 15.00
12	3/9/2011	Reproduction (B&W)	\$ 11.10
13	3/14/2011	Mileage	\$ 60.27
14	3/14/2011	Parking	\$ 15.00
15	3/17/2011	Reproduction (B&W)	\$ 4.65
16	3/31/2011	Reproduction (B&W)	\$ 79.35
17	3/31/2011	Reproduction (Color)	\$ 3.75
18	4/1/2011	Reproduction (B&W)	\$ 4.65
19	Apr-11	Research	\$ 7.93
20	4/8/2011	Reproduction (Scans)	\$ 1.60
21	4/12/2011	Reproduction (B&W)	\$ 97.50
22	4/12/2011	Reproduction (Color)	\$ 0.25
23	4/12/2011	Reproduction (Scans)	\$ 0.05
24	4/13/2011	Reproduction (B&W)	\$ 1.05
25	4/13/2011	Reproduction (Scans)	\$ 0.10
26	4/14/2011	Reproduction (B&W)	\$ 0.30
27	4/14/2011	Reproduction (Scans)	\$ 0.10
28	4/19/2011	Reproduction (B&W)	\$ 2.40
29	4/19/2011	Reproduction (Scans)	\$ 20.40
30	4/19/2011	Westlaw charges	\$ 22.97
31	4/20/2011	Reproduction (B&W)	\$ 1.95
32	4/20/2011	Reproduction (Scans)	\$ 0.10
33	4/27/2011	Reproduction (B&W)	\$ 0.45
34	4/27/2011	Westlaw charges	\$ 134.30
35	4/27/2011	Westlaw charges	\$ 115.62
36	May-11	Research	\$ 4.45
37	5/2/2011	Reproduction (B&W)	\$ 10.50
38	5/2/2011	Reproduction (Scans)	\$ 0.20
39	5/5/2011	Reproduction (B&W)	\$ 5.40
40	5/6/2011	Accurant online research	\$ 24.14
41	5/11/2011	Reproduction (Scans)	\$ 13.55
42	5/18/2011	Postage	\$ 3.36
43	5/19/2011	Westlaw charges	\$ 54.60
44	5/23/2011	Westlaw charges	\$ 216.60
45	5/25/2011	Westlaw charges	\$ 119.21
46	5/26/2011	Westlaw charges	\$ 58.81

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
47	5/27/2011	Reproduction (B&W)	\$ 0.30
48	5/27/2011	Reproduction (Color)	\$ 0.25
49	5/27/2011	Westlaw charges	\$ 44.55
50	5/30/2011	Westlaw charges	\$ 28.55
51	Jun-11	Research	\$ 3.56
52	6/6/2011	Reproduction (B&W)	\$ 16.80
53	6/7/2011	Westlaw charges	\$ 134.67
54	6/9/2011	Reproduction (B&W)	\$ 25.35
55	6/11/2011	Westlaw charges	\$ 129.23
56	6/12/2011	Westlaw charges	\$ 143.62
57	6/13/2011	Courier/process server	\$ 25.00
58	6/13/2011	Reproduction (B&W)	\$ 24.60
59	6/13/2011	Reproduction (Color)	\$ 40.25
60	6/13/2011	Reproduction (Scans)	\$ 1.25
61	6/13/2011	Westlaw charges	\$ 37.87
62	6/14/2011	Courier/process server	\$ 137.45
63	6/14/2011	Courier/process server	\$ 11.00
64	6/14/2011	Reproduction (B&W)	\$ 113.85
65	6/14/2011	Reproduction (Color)	\$ 40.25
66	6/14/2011	Reproduction (Scans)	\$ 1.70
67	6/15/2011	Reproduction (B&W)	\$ 1.05
68	6/16/2011	Meals	\$ 13.07
69	6/16/2011	Mileage	\$ 60.18
70	6/16/2011	Mileage	\$ 63.24
71	6/16/2011	Telephone Calls	\$ 20.57
72	6/16/2011	Telephone Calls	\$ 20.57
73	6/16/2011	Telephone Calls	\$ 20.57
74	6/17/2011	Reproduction (Color)	\$ 1.00
75	6/20/2011	Courier/process server	\$ 71.50
76	6/20/2011	Postage	\$ 1.32
77	6/20/2011	Westlaw charges	\$ 4.86
78	6/20/2011	Westlaw charges	\$ 47.57
79	6/21/2011	Reproduction (B&W)	\$ 4.05
80	6/22/2011	Reproduction (Scans)	\$ 1.85
81	6/23/2011	Courier/process server	\$ 71.50
82	6/23/2011	Meals	\$ 8.05
83	6/23/2011	Mileage	\$ 60.18
84	6/23/2011	Reproduction (Scans)	\$ 8.60
85	6/28/2011	Courier/process server	\$ 59.00
86	6/29/2011	Reproduction (B&W)	\$ 131.40
87	6/29/2011	Reproduction (Color)	\$ 1.50
88	6/29/2011	Reproduction (Scans)	\$ 15.25
89	7/1/2011	Westlaw charges	\$ 98.99
90	7/1/2011	Westlaw charges	\$ 38.51
91	7/5/2011	Courier/process server	\$ 25.00

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
92	7/5/2011	Reproduction (B&W)	\$ 56.25
93	7/5/2011	Reproduction (Color)	\$ 1.00
94	7/5/2011	Reproduction (Scans)	\$ 6.35
95	7/5/2011	Westlaw charges	\$ 163.47
96	7/5/2011	Westlaw charges	\$ 18.00
97	7/6/2011	Reproduction (B&W)	\$ 4.80
98	7/6/2011	Reproduction (Scans)	\$ 0.45
99	7/7/2011	Postage Hard	\$ 16.95
100	7/7/2011	Reproduction (Scans)	\$ 5.20
101	7/8/2011	Accurint online research	\$ 43.85
102	7/8/2011	Courier/process server	\$ 87.50
103	7/12/2011	Reproduction (Scans)	\$ 0.25
104	7/18/2011	Postage	\$ 13.92
105	7/21/2011	Reproduction (B&W)	\$ 7.05
106	7/21/2011	Reproduction (Scans)	\$ 2.10
107	7/22/2011	Courier/process server	\$ 125.00
108	7/22/2011	Reproduction (B&W)	\$ 15.30
109	7/22/2011	Reproduction (Color)	\$ 0.50
110	7/28/2011	Reproduction (B&W)	\$ 1.65
111	7/29/2011	Reproduction (B&W)	\$ 5.55
112	8/1/2011	Reproduction (B&W)	\$ 7.50
113	8/1/2011	Reproduction (Scans)	\$ 0.15
114	8/2/2011	Reproduction (B&W)	\$ 2.55
115	8/3/2011	Mileage	\$ 64.26
116	8/3/2011	Parking	\$ 20.50
117	8/3/2011	Telephone Calls	\$ 21.30
118	8/3/2011	Reproduction (B&W)	\$ 13.65
119	8/3/2011	Reproduction (Scans)	\$ 4.40
120	8/3/2011	Westlaw charges	\$ 35.25
121	8/4/2011	Westlaw charges	\$ 30.59
122	8/5/2011	Accurint online research	\$ 18.23
123	8/9/2011	Mileage	\$ 69.38
124	8/9/2011	Mileage	\$ 73.95
125	8/9/2011	Reproduction (B&W)	\$ 3.75
126	8/9/2011	Reproduction (Color)	\$ 1.25
127	8/10/2011	Reproduction (B&W)	\$ 4.65
128	8/10/2011	Reproduction (Color)	\$ 0.25
129	8/10/2011	Reproduction (Scans)	\$ 0.30
130	8/11/2011	Meals	\$ 10.50
131	8/11/2011	Reproduction (B&W)	\$ 13.65
132	8/11/2011	Westlaw charges	\$ 14.17
133	8/12/2011	Westlaw charges	\$ 11.58
134	8/16/2011	Reproduction (B&W)	\$ 45.75
135	8/18/2011	Courier/process server	\$ 22.00
136	8/18/2011	Courier/process server	\$ 70.00

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
137	8/18/2011	Reproduction (B&W)	\$ 13.65
138	8/18/2011	Reproduction (Scans)	\$ 2.80
139	8/18/2011	Westlaw charges	\$ 93.06
140	8/18/2011	Travel	\$ 47.00
141	8/19/2011	Courier/process server	\$ 25.00
142	8/22/2011	Courier/process server	\$ 29.95
143	8/22/2011	Courier/process server	\$ 42.25
144	8/23/2011	Reproduction (B&W)	\$ 0.15
145	8/23/2011	Reproduction (Color)	\$ 0.25
146	8/23/2011	Reproduction (Scans)	\$ 0.55
147	8/24/2011	Reproduction (B&W)	\$ 9.60
148	8/24/2011	Reproduction (Color)	\$ 0.75
149	8/24/2011	Reproduction (Scans)	\$ 0.15
150	8/25/2011	Reproduction (B&W)	\$ 9.60
151	8/25/2011	Reproduction (Color)	\$ 0.75
152	8/25/2011	Reproduction (Scans)	\$ 0.25
153	8/25/2011	Westlaw charges	\$ 46.05
154	8/26/2011	Reproduction (B&W)	\$ 0.15
155	8/26/2011	Reproduction (Color)	\$ 0.50
156	8/26/2011	Reproduction (Scans)	\$ 0.05
157	8/27/2011	Courier/process server	\$ 63.75
158	8/29/2011	Reproduction (B&W)	\$ 14.40
159	8/29/2011	Travel	\$ 4.50
160	8/31/2011	Accurint online research	\$ 75.60
161	8/31/2011	Reproduction (Scans)	\$ 0.10
162	9/2/2011	Reproduction (B&W)	\$ 4.35
163	9/2/2011	Reproduction (Color)	\$ 0.25
164	9/6/2011	Long distance telephone charges	\$ 11.47
165	9/8/2011	Reproduction (B&W)	\$ 1.20
166	9/9/2011	Long distance telephone charges	\$ 0.16
167	9/11/2011	Reproduction (Scans)	\$ 0.15
168	9/12/2011	Westlaw charges	\$ 21.25
169	9/13/2011	Reproduction (B&W)	\$ 1.80
170	9/13/2011	Long distance telephone charges	\$ 0.62
171	9/15/2011	Reproduction (B&W)	\$ 4.20
172	9/15/2011	Reproduction (Color)	\$ 0.25
173	9/16/2011	Reproduction (B&W)	\$ 15.75
174	9/16/2011	Reproduction (Scans)	\$ 5.55
175	9/19/2011	Postage	\$ 27.99
176	9/19/2011	Reproduction (B&W)	\$ 8.85
177	9/20/2011	Reproduction (B&W)	\$ 129.30
178	9/20/2011	Long distance telephone charges	\$ 0.16
179	9/21/2011	Reproduction (B&W)	\$ 1.80
180	9/21/2011	Reproduction (Color)	\$ 1.00
181	9/21/2011	Westlaw charges	\$ 80.59

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
182	9/22/2011	Meals	\$ 15.18
183	9/22/2011	Parking	\$ 6.50
184	9/22/2011	Parking	\$ 9.00
185	9/23/2011	Reproduction (B&W)	\$ 11.40
186	9/26/2011	Westlaw charges	\$ 744.09
187	9/27/2011	Parking	\$ 8.00
188	9/27/2011	Reproduction (B&W)	\$ 9.60
189	9/27/2011	Westlaw charges	\$ 1,730.85
190	9/27/2011	Westlaw charges	\$ 2.23
191	9/28/2011	Reproduction (B&W)	\$ 28.50
192	9/28/2011	Westlaw charges	\$ 187.03
193	9/29/2011	Westlaw charges	\$ 1,044.69
194	9/30/2011	Accurint online research	\$ 40.50
195	9/30/2011	Reproduction (B&W)	\$ 12.75
196	9/30/2011	Reproduction (Color)	\$ 0.75
197	9/30/2011	Westlaw charges	\$ 93.86
198	9/30/2011	Westlaw charges	\$ 1.27
199	10/3/2011	Reproduction (B&W)	\$ 0.15
200	10/3/2011	Westlaw charges	\$ 52.13
201	10/5/2011	Travel	\$ 6.00
202	10/7/2011	Long distance telephone charges	\$ 0.16
203	10/10/2011	PACER	\$ 0.32
204	10/10/2011	Reproduction (B&W)	\$ 9.60
205	10/10/2011	Westlaw charges	\$ 75.99
206	10/11/2011	Reproduction (B&W)	\$ 16.20
207	10/11/2011	Westlaw charges	\$ 76.65
208	10/12/2011	Reproduction (B&W)	\$ 5.40
209	10/12/2011	Reproduction (Color)	\$ 25.00
210	10/12/2011	Westlaw charges	\$ 59.40
211	10/13/2011	Reproduction (B&W)	\$ 8.25
212	10/14/2011	Mileage	\$ 68.15
213	10/14/2011	Travel	\$ 6.00
214	10/19/2011	Postage	\$ 29.42
215	10/20/2011	Reproduction (B&W)	\$ 7.20
216	10/20/2011	Reproduction (Color)	\$ 0.25
217	10/20/2011	Reproduction (Scans)	\$ 1.80
218	10/20/2011	Westlaw charges	\$ 63.75
219	10/24/2011	Reproduction (B&W)	\$ 10.80
220	10/24/2011	Reproduction (Scans)	\$ 1.65
221	10/24/2011	Westlaw charges	\$ 206.85
222	10/24/2011	Long distance telephone charges	\$ 0.31
223	10/24/2011	Long distance telephone charges	\$ 1.71
224	10/24/2011	Long distance telephone charges	\$ 0.16
225	10/25/2011	Westlaw charges	\$ 277.95
226	10/26/2011	Telephone conference calls	\$ 4.17

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
227	10/28/2011	Long distance telephone charges	\$ 0.16
228	10/28/2011	Long distance telephone charges	\$ 0.16
229	10/28/2011	Long distance telephone charges	\$ 0.47
230	10/28/2011	Long distance telephone charges	\$ 0.16
231	10/28/2011	Air express charge	\$ 8.30
232	10/31/2011	Travel expense -	\$ 366.00
233	10/31/2011	Travel expense meals -	\$ 28.79
234	10/31/2011	Travel expense -	\$ 372.78
235	10/31/2011	Travel expense meals -	\$ 27.78
236	10/31/2011	Long distance telephone charges	\$ 0.16
237	11/2/2011	Meals	\$ 9.60
238	11/2/2011	Parking	\$ 4.00
239	11/2/2011	Parking	\$ 5.00
240	11/2/2011	Reproduction (B&W)	\$ 45.45
241	11/6/2011	Westlaw charges	\$ 275.25
242	11/7/2011	Meals	\$ 18.61
243	11/7/2011	Mileage	\$ 61.05
244	11/7/2011	Mileage	\$ 78.81
245	11/7/2011	Mileage	\$ 101.01
246	11/7/2011	Mileage	\$ 68.82
247	11/7/2011	Reproduction (B&W)	\$ 34.35
248	11/8/2011	Reproduction (B&W)	\$ 4.20
249	11/8/2011	Westlaw charges	\$ 25.80
250	11/9/2011	Mileage	\$ 78.81
251	11/9/2011	Westlaw charges	\$ 1.95
252	11/10/2011	Westlaw charges	\$ 128.25
253	11/11/2011	PACER	\$ 4.16
254	11/11/2011	PACER	\$ 4.16
255	11/14/2011	Reproduction (B&W)	\$ 23.40
256	11/14/2011	Reproduction (Scans)	\$ 3.95
257	11/15/2011	Accurint online research	\$ 130.50
258	11/15/2011	Long distance telephone charges	\$ 0.16
259	11/16/2011	Westlaw charges	\$ 84.30
260	11/17/2011	Mileage	\$ 68.82
261	11/17/2011	Mileage	\$ 68.82
262	11/17/2011	Reproduction (Scans)	\$ 0.50
263	11/17/2011	Westlaw charges	\$ 91.50
264	11/18/2011	Travel	\$ 50.00
265	11/19/2011	Westlaw charges	\$ 93.00
266	11/21/2011	Courier/process server	\$ 29.00
267	11/21/2011	Mileage	\$ 73.26
268	11/21/2011	PACER	\$ 0.40
269	11/21/2011	PACER	\$ 0.40
270	11/21/2011	Postage	\$ 51.25
271	11/21/2011	Reproduction (B&W)	\$ 136.65

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
272	11/21/2011	Reproduction (Color)	\$ 3.00
273	11/21/2011	Reproduction (Scans)	\$ 4.20
274	11/21/2011	Westlaw charges	\$ 23.85
275	11/23/2011	Westlaw charges	\$ 56.70
276	11/28/2011	Reproduction (B&W)	\$ 6.90
277	11/28/2011	Reproduction (Scans)	\$ 0.40
278	11/29/2011	Reproduction (B&W)	\$ 48.45
279	11/30/2011	Westlaw charges	\$ 113.85
280	12/1/2011	Reproduction (B&W)	\$ 10.80
281	Dec-11	Long Distance	\$ 10.00
282	12/2/2011	PACER	\$ 2.80
283	12/2/2011	PACER	\$ 2.80
284	12/2/2011	Westlaw charges	\$ 11.70
285	12/5/2011	Courier/process server	\$ 30.00
286	12/5/2011	Reproduction (B&W)	\$ 36.90
287	12/5/2011	Reproduction (Scans)	\$ 14.85
288	12/6/2011	PACER	\$ 0.16
289	12/6/2011	PACER	\$ 0.16
290	12/6/2011	Reproduction (B&W)	\$ 7.05
291	12/6/2011	Westlaw charges	\$ 3.90
292	12/7/2011	Courier/process server	\$ 29.00
293	12/7/2011	Mileage	\$ 68.82
294	12/7/2011	Mileage	\$ 68.82
295	12/7/2011	Reproduction (B&W)	\$ 13.50
296	12/7/2011	Westlaw charges	\$ 45.30
297	12/8/2011	Westlaw charges	\$ 160.95
298	12/9/2011	Westlaw charges	\$ 13.65
299	12/12/2011	Reproduction (B&W)	\$ 0.15
300	12/19/2011	Postage	\$ 5.12
301	12/20/2011	Reproduction (B&W)	\$ 3.60
302	12/20/2011	Travel	\$ 52.00
303	12/20/2011	Conference calls	\$ 25.90
304	12/22/2011	Reproduction (B&W)	\$ 5.25
305	12/30/2011	Telephone conference calls	\$ 56.84
306	Jan-12	Long Distance	\$ 10.00
307	1/3/2012	Courier/process server	\$ 29.00
308	1/5/2012	PACER	\$ 1.04
309	1/19/2012	Postage	\$ 0.64
310	1/26/2012	Reproduction (B&W)	\$ 1.95
311	1/26/2012	Reproduction (Color)	\$ 598.25
312	Feb-12	Long Distance	\$ 10.00
313	Feb-12	Postage	\$ 0.45
314	2/6/2012	Reproduction (B&W)	\$ 0.90
315	2/9/2012	Reproduction (B&W)	\$ 0.75
316	2/9/2012	Reproduction (Scans)	\$ 0.30

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
317	2/10/2012	Westlaw charges	\$ 73.20
318	2/13/2012	Reproduction (B&W)	\$ 35.40
319	2/13/2012	Westlaw charges	\$ 1.95
320	2/13/2012	Telephone conference calls	\$ 5.38
321	2/14/2012	Parking	\$ 22.00
322	2/14/2012	Reproduction (B&W)	\$ 7.80
323	2/15/2012	Reproduction (B&W)	\$ 0.30
324	2/21/2012	Telephone conference calls	\$ 5.38
325	2/23/2012	Conference calls	\$ 14.90
326	2/27/2012	Postage	\$ 5.70
327	2/27/2012	Reproduction (B&W)	\$ 3.75
328	2/27/2012	Reproduction (Color)	\$ 0.25
329	2/28/2012	Reproduction (B&W)	\$ 4.35
330	Mar-12	Long Distance	\$ 10.00
331	Mar-12	Postage	\$ 0.90
332	3/1/2012	Long distance telephone charges	\$ 0.48
333	3/1/2012	Travel	\$ 12.20
334	3/5/2012	Westlaw charges	\$ 63.45
335	3/9/2012	Accurint online research	\$ 16.26
336	3/9/2012	Long distance telephone charges	\$ 0.32
337	3/9/2012	Long distance telephone charges	\$ 0.32
338	3/12/2012	Westlaw charges	\$ 118.80
339	3/13/2012	Mileage	\$ 68.27
340	3/14/2012	Reproduction (B&W)	\$ 3.75
341	3/14/2012	Reproduction (Scans)	\$ 0.05
342	3/19/2012	Postage	\$ 1.30
343	3/19/2012	Westlaw charges	\$ 39.45
344	3/20/2012	Westlaw charges	\$ 13.65
345	3/22/2012	Electronic document production costs	\$ 175.86
346	3/26/2012	Reproduction (B&W)	\$ 0.60
347	3/26/2012	Reproduction (Scans)	\$ 0.05
348	3/27/2012	Reproduction (B&W)	\$ 3.60
349	3/27/2012	Westlaw charges	\$ 25.05
350	3/28/2012	Reproduction (B&W)	\$ 21.60
351	3/28/2012	Westlaw charges	\$ 57.15
352	3/29/2012	Courier/process server	\$ 29.00
353	3/29/2012	Reproduction (B&W)	\$ 4.80
354	3/29/2012	Westlaw charges	\$ 5.85
355	3/29/2012	Long distance telephone charges	\$ 0.32
356	3/30/2012	Conference calls	\$ 10.43
357	Apr-12	Long Distance	\$ 10.00
358	Apr-12	Postage	\$ 0.65
359	4/2/2012	Reproduction (B&W)	\$ 5.40
360	4/2/2012	Reproduction (Color)	\$ 0.75
361	4/3/2012	Reproduction (B&W)	\$ 9.75

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
362	4/3/2012	Westlaw charges	\$ 18.00
363	4/4/2012	Reproduction (B&W)	\$ 5.85
364	4/4/2012	Westlaw charges	\$ 375.60
365	4/5/2012	Courier/process server	\$ 25.00
366	4/5/2012	Reproduction (B&W)	\$ 1.65
367	4/9/2012	Westlaw charges	\$ 55.50
368	4/9/2012	Long distance telephone charges	\$ 2.88
369	4/10/2012	Long distance telephone charges	\$ 0.32
370	4/11/2012	Accurint online research	\$ 14.78
371	4/11/2012	Long distance telephone charges	\$ 0.32
372	4/13/2012	Telephone conference calls	\$ 33.42
373	4/14/2012	Telephone conference calls	\$ 35.09
374	4/17/2012	Courier/process server	\$ 39.95
375	4/18/2012	Postage	\$ 2.35
376	4/23/2012	Telephone conference calls	\$ 13.95
377	5/1/2012	Westlaw charges	\$ 19.95
378	May-12	Long Distance	\$ 10.00
379	May-12	Research	\$ 24.92
380	5/2/2012	Reproduction (B&W)	\$ 2.55
381	5/3/2012	Telephone conference calls	\$ 10.45
382	5/3/2012	Court Files	\$ 2,080.00
383	5/3/2012	Court Files	\$ 600.00
384	5/3/2012	Court Files	\$ 400.00
385	5/7/2012	Courier/process server	\$ 25.00
386	5/7/2012	Reproduction (B&W)	\$ 30.75
387	5/7/2012	Reproduction (Scans)	\$ 0.50
388	5/10/2012	Courier/process server	\$ 56.55
389	5/16/2012	Westlaw charges	\$ 75.45
390	5/16/2012	Air express charge	\$ 15.43
391	5/16/2012	Long distance telephone charges	\$ 0.64
392	5/20/2012	Courier/process server	\$ 25.00
393	5/21/2012	Courier/process server	\$ 25.00
394	5/22/2012	Postage	\$ 20.65
395	5/22/2012	Reproduction (B&W)	\$ 0.30
396	5/22/2012	Reproduction (Scans)	\$ 5.15
397	5/22/2012	Long distance telephone charges	\$ 0.16
398	5/29/2012	Reproduction (B&W)	\$ 0.45
399	5/29/2012	Reproduction (Scans)	\$ 0.15
400	5/30/2012	Reproduction (B&W)	\$ 0.45
401	5/30/2012	Reproduction (Color)	\$ 0.25
402	5/30/2012	Reproduction (Scans)	\$ 0.20
403	5/31/2012	Telephone conference calls	\$ 28.80
404	5/31/2012	Messenger service	\$ 8.00
405	5/31/2012	Long distance telephone charges	\$ 2.72
406	Jun-12	Long Distance	\$ 10.00

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
407	Jun-12	Postage	\$ 9.84
408	Jun-12	Research	\$ 2.66
409	6/1/2012	Long distance telephone charges	\$ 0.80
410	6/4/2012	Reproduction (B&W)	\$ 0.45
411	6/4/2012	Reproduction (Scans)	\$ 0.15
412	6/4/2012	Messenger service	\$ 8.00
413	6/6/2012	Reproduction (B&W)	\$ 3.15
414	6/6/2012	Reproduction (B&W)	\$ 3.90
415	6/6/2012	Reproduction (Color)	\$ 0.50
416	6/6/2012	Reproduction (Scans)	\$ 0.35
417	6/6/2012	Telephone conference calls	\$ 7.52
418	6/7/2012	Courier/process server	\$ 25.00
419	6/7/2012	Reproduction (B&W)	\$ 0.15
420	6/11/2012	Reproduction (B&W)	\$ 1.80
421	6/11/2012	Reproduction (Color)	\$ 0.50
422	6/11/2012	Reproduction (Scans)	\$ 0.05
423	6/11/2012	Long distance telephone charges	\$ 0.32
424	6/12/2012	Reproduction (B&W)	\$ 1.65
425	6/12/2012	Long distance telephone charges	\$ 0.48
426	6/12/2012	Long distance telephone charges	\$ 0.32
427	6/13/2012	Reproduction (B&W)	\$ 0.45
428	6/13/2012	Reproduction (Scans)	\$ 0.10
429	6/13/2012	Telephone conference calls	\$ 1.61
430	6/14/2012	Reproduction (Color)	\$ 0.75
431	6/18/2012	Courier/process server	\$ 144.45
432	6/18/2012	Postage	\$ 51.71
433	6/18/2012	Reproduction (B&W)	\$ 0.75
434	6/20/2012	Air express charge	\$ 8.50
435	6/20/2012	Air express charge	\$ 7.91
436	6/20/2012	Long distance telephone charges	\$ 0.96
437	6/20/2012	Long distance telephone charges	\$ 0.16
438	6/21/2012	Mileage	\$ 70.39
439	6/21/2012	Reproduction (Color)	\$ 1.50
440	6/21/2012	Reproduction (Scans)	\$ 21.25
441	6/22/2012	Messenger service	\$ 10.00
442	6/25/2012	Reproduction (Color)	\$ 0.75
443	6/25/2012	Reproduction (Scans)	\$ 0.05
444	6/27/2012	Reproduction (B&W)	\$ 2.40
445	6/27/2012	Telephone conference calls	\$ 18.57
446	Jul-12	Long Distance	\$ 10.00
447	Jul-12	Postage	\$ 2.45
448	7/3/2012	Reproduction (B&W)	\$ 0.15
449	7/5/2012	Reproduction (Color)	\$ 0.25
450	7/5/2012	Reproduction (Scans)	\$ 0.15
451	7/6/2012	PACER	\$ 0.80

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
452	7/11/2012	Telephone conference calls	\$ 5.69
453	7/18/2012	Reproduction (B&W)	\$ 1.05
454	7/18/2012	Reproduction (Scans)	\$ 0.20
455	7/18/2012	Westlaw charges	\$ 3.90
456	7/18/2012	Telephone conference calls	\$ 7.07
457	7/19/2012	Reproduction (B&W)	\$ 5.10
458	07/19/2012	Flight	\$ 299.60
459	07/19/2012	Travel	\$ 166.87
460	7/20/2012	Westlaw charges	\$ 10.95
461	07/20/2012	Lodging	\$ 289.84
462	7/21/2012	Westlaw charges	\$ 29.70
463	7/22/2012	Westlaw charges	\$ 40.65
464	7/23/2012	Postage	\$ 2.20
465	7/23/2012	Reproduction (Color)	\$ 0.25
466	7/23/2012	Westlaw charges	\$ 3.90
467	7/24/2012	Reproduction (B&W)	\$ 0.60
468	7/24/2012	Reproduction (Color)	\$ 3.75
469	7/24/2012	Westlaw charges	\$ 12.90
470	7/25/2012	Reproduction (B&W)	\$ 105.00
471	7/25/2012	Reproduction (Color)	\$ 8.50
472	7/25/2012	Westlaw charges	\$ 196.65
473	7/26/2012	Courier/process server	\$ 29.00
474	7/26/2012	Meals	\$ 60.56
475	7/26/2012	Meals	\$ 4.27
476	7/26/2012	Reproduction (B&W)	\$ 8.85
477	7/26/2012	Reproduction (Color)	\$ 7.00
478	7/26/2012	Reproduction (Scans)	\$ -
479	7/26/2012	Westlaw charges	\$ 17.55
480	7/27/2012	Parking	\$ 26.00
481	7/30/2012	Reproduction (B&W)	\$ 33.75
482	8/1/2012	Reproduction (B&W)	\$ 4.35
483	8/1/2012	Reproduction (Color)	\$ 0.50
484	8/1/2012	Reproduction (Scans)	\$ 0.05
485	Aug-12	Long Distance	\$ 10.00
486	Aug-12	Research	\$ 1.55
487	8/6/2012	Travel expense meals -	\$ 8.50
488	8/6/2012	Travel expense -	\$ 90.82
489	8/7/2012	Reproduction (B&W)	\$ 0.45
490	8/7/2012	Reproduction (Color)	\$ 0.50
491	8/7/2012	Messenger service	\$ 8.00
492	8/8/2012	Reproduction (B&W)	\$ 1.05
493	8/8/2012	Telephone conference calls	\$ 11.10
494	8/9/2012	Reproduction (B&W)	\$ 5.40
495	8/10/2012	Air express charge	\$ 7.77
496	8/13/2012	Air express charge	\$ 8.36

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
497	8/14/2012	Reproduction (B&W)	\$ 2.55
498	8/15/2012	Reproduction (B&W)	\$ 0.30
499	8/15/2012	Telephone conference calls	\$ 12.45
500	8/16/2012	Reproduction (Color)	\$ 0.50
501	8/20/2012	Postage	\$ 2.45
502	8/22/2012	Reproduction (B&W)	\$ 0.60
503	8/22/2012	Reproduction (Scans)	\$ 0.20
504	8/27/2012	Reproduction (B&W)	\$ 21.60
505	8/28/2012	Reproduction (B&W)	\$ 49.05
506	8/29/2012	Telephone conference calls	\$ 15.72
507	8/31/2012	Electronic document production costs	\$ 1,242.63
508	8/31/2012	Telephone conference calls	\$ 9.84
509	Sep-12	Long Distance	\$ 10.00
510	9/5/2012	Mileage	\$ 65.58
511	9/5/2012	Reproduction (B&W)	\$ 4.20
512	9/5/2012	Reproduction (Color)	\$ 0.25
513	9/5/2012	Reproduction (Scans)	\$ 0.10
514	9/5/2012	Westlaw charges	\$ 19.95
515	9/5/2012	Telephone conference calls	\$ 20.83
516	9/6/2012	Messenger service	\$ 8.00
517	9/11/2012	Reproduction (B&W)	\$ 0.30
518	9/12/2012	Reproduction (B&W)	\$ 14.25
519	9/12/2012	Reproduction (Color)	\$ 0.25
520	9/12/2012	Reproduction (Scans)	\$ 0.10
521	9/13/2012	Reproduction (B&W)	\$ 1.20
522	9/17/2012	Reproduction (B&W)	\$ 18.90
523	9/18/2012	Meals	\$ 8.75
524	9/18/2012	Mileage	\$ 65.58
525	9/18/2012	Reproduction (B&W)	\$ 0.45
526	9/18/2012	Reproduction (Color)	\$ 0.25
527	9/18/2012	Reproduction (Scans)	\$ 0.40
528	9/18/2012	Westlaw charges	\$ 28.50
529	9/18/2012	Air express charge	\$ 7.88
530	9/19/2012	Postage	\$ 6.60
531	9/19/2012	Telephone conference calls	\$ 15.13
532	9/19/2012	Messenger service	\$ 12.00
533	9/20/2012	Reproduction (B&W)	\$ 0.15
534	9/21/2012	Westlaw charges	\$ 463.20
535	9/21/2012	Westlaw charges	\$ 14.85
536	09/21/2012	Flight	\$ 343.60
537	09/21/2012	Lodging	\$ 284.32
538	09/21/2012	Travel	\$ 278.69
539	9/24/2012	Electronic document production costs	\$ 355.88
540	9/24/2012	Reproduction (B&W)	\$ 50.70
541	9/24/2012	Reproduction (Scans)	\$ 0.20

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
542	9/24/2012	Westlaw charges	\$ 92.10
543	9/24/2012	Messenger service	\$ 16.00
544	9/25/2012	Reproduction (B&W)	\$ 175.20
545	9/25/2012	Reproduction (Color)	\$ 0.25
546	9/25/2012	Reproduction (Scans)	\$ 2.40
547	9/25/2012	Westlaw charges	\$ 101.10
548	09/25/2012	Fax	\$ 1.50
549	9/25/2012	Messenger service	\$ 8.00
550	9/26/2012	Hotel Charges	\$ 142.16
551	9/26/2012	Meals	\$ 51.82
552	9/26/2012	Mileage	\$ 70.82
553	9/26/2012	Reproduction (B&W)	\$ 168.90
554	9/26/2012	Reproduction (Color)	\$ 0.25
555	9/27/2012	Meals	\$ 3.35
556	9/27/2012	Reproduction (Color)	\$ 0.25
557	9/27/2012	Telephone conference calls	\$ 2.42
558	9/28/2012	Westlaw charges	\$ 10.95
559	9/30/2012	Electronic document production costs	\$ 1,015.00
560	10/1/2012	Reproduction (B&W)	\$ 19.35
561	10/1/2012	Reproduction (Color)	\$ 0.25
562	10/1/2012	Westlaw charges	\$ 131.40
563	Oct-12	Courier	\$ 5.00
564	Oct-12	Long Distance	\$ 10.00
565	Oct-12	Postage	\$ 0.90
566	Oct-12	Research	\$ 19.75
567	Oct-12	Research	\$ 3.50
568	10/2/2012	Westlaw charges	\$ 108.60
569	10/3/2012	Westlaw charges	\$ 1.95
570	10/3/2012	Westlaw charges	\$ 141.45
571	10/3/2012	Telephone conference calls	\$ 20.17
572	10/4/2012	Courier/process server	\$ 16.25
573	10/4/2012	Reproduction (B&W)	\$ 21.00
574	10/8/2012	Reproduction (B&W)	\$ 6.60
575	10/8/2012	Reproduction (Scans)	\$ 0.05
576	10/10/2012	Reproduction (B&W)	\$ 0.60
577	10/10/2012	Telephone conference calls	\$ 24.47
578	10/11/2012	Messenger Service (CDs)	\$ 25.00
579	10/12/2012	Courier/process server	\$ 46.95
580	10/16/2012	Office services/special handling - copy center	\$ 71.00
581	10/17/2012	Courier/process server	\$ 7.00
582	10/17/2012	Reproduction (Color)	\$ 1.00
583	10/17/2012	Telephone conference calls	\$ 12.91
584	10/22/2012	Meals	\$ 11.47
585	10/22/2012	Mileage	\$ 66.60
586	10/23/2012	Reproduction (B&W)	\$ 9.30

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
587	10/24/2012	Telephone conference calls	\$ 9.82
588	10/31/2012	Reproduction (B&W)	\$ 1.65
589	10/31/2012	Reproduction (Scans)	\$ 0.05
590	10/31/2012	Messenger service	\$ 12.00
591	10/31/2012	Telephone conference calls	\$ 13.82
592	Nov-12	Long Distance	\$ 10.00
593	11/5/2012	Courier/process server	\$ 45.00
594	11/7/2012	Telephone conference calls	\$ 10.91
595	11/12/2012	Reproduction (B&W)	\$ 7.95
596	11/12/2012	Reproduction (Scans)	\$ 0.10
597	11/14/2012	Reproduction (B&W)	\$ 297.75
598	11/14/2012	Telephone conference calls	\$ 11.38
599	11/19/2012	Postage	\$ 1.95
600	11/20/2012	Reproduction (B&W)	\$ 1.20
601	11/21/2012	Telephone conference calls	\$ 17.80
602	11/28/2012	Telephone conference calls	\$ 12.55
603	Dec-12	Long Distance	\$ 10.00
604	12/5/2012	Telephone conference calls	\$ 25.31
605	12/12/2012	Telephone conference calls	\$ 18.11
606	12/15/2012	Courier/process server	\$ 25.00
607	12/17/2012	Reproduction (B&W)	\$ 4.65
608	12/17/2012	Reproduction (Scans)	\$ 0.25
609	12/18/2012	Postage	\$ 3.40
610	12/19/2012	Telephone conference calls	\$ 8.42
611	12/20/2012	Messenger service	\$ 12.00
612	12/30/2012	Courier/process server	\$ 39.95
613	12/31/2012	Electronic document production costs	\$ 2,213.22
614	Jan-13	Long Distance	\$ 10.00
615	Jan-13	Research	\$ 2.99
616	1/2/2013	Reproduction (B&W)	\$ 35.10
617	1/2/2013	Reproduction (Scans)	\$ 0.05
618	1/2/2013	Telephone conference calls	\$ 17.99
619	1/4/2013	Mileage	\$ 80.23
620	1/5/2013	Westlaw charges	\$ 1.95
621	1/7/2013	Courier/process server	\$ 79.50
622	1/9/2013	Meals	\$ 3.25
623	1/9/2013	Reproduction (B&W)	\$ 263.10
624	1/9/2013	Reproduction (Scans)	\$ 0.10
625	1/9/2013	Telephone conference calls	\$ 7.93
626	1/10/2013	Parking	\$ 13.00
627	1/10/2013	Reproduction (B&W)	\$ 121.95
628	1/10/2013	Reproduction (Color)	\$ 2.00
629	1/14/2013	Reproduction (B&W)	\$ 3.75
630	1/15/2013	Reproduction (B&W)	\$ 0.15
631	1/15/2013	Westlaw charges	\$ 19.95

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
632	1/15/2013	Westlaw charges	\$ 11.70
633	1/15/2013	Photocopies and printing	\$ 122.00
634	1/15/2013	Long distance telephone charges	\$ 0.32
635	1/15/2013	Long distance telephone charges	\$ 2.24
636	1/16/2013	Westlaw charges	\$ 104.70
637	1/16/2013	Telephone conference calls	\$ 16.77
638	1/17/2013	Mileage	\$ 65.54
639	1/17/2013	Reproduction (B&W)	\$ 147.60
640	1/17/2013	Reproduction (B&W)	\$ 10.05
641	1/17/2013	Reproduction (Color)	\$ 0.25
642	1/22/2013	Postage	\$ 13.77
643	1/22/2013	Reproduction (B&W)	\$ 61.05
644	1/23/2013	Courier/process server	\$ 119.50
645	1/23/2013	Telephone conference calls	\$ 13.72
646	1/24/2013	Westlaw charges	\$ 34.80
647	1/26/2013	Telephone conference calls	\$ 8.60
648	1/30/2013	Travel expense meals -	\$ 11.50
649	1/30/2013	Telephone conference calls	\$ 15.55
650	1/31/2013	Messenger service	\$ 8.00
651	Feb-13	Long Distance	\$ 10.00
652	Feb-13	Research	\$ 9.09
653	2/1/2013	Messenger service	\$ 50.00
654	2/4/2013	Reproduction (B&W)	\$ 7.20
655	2/5/2013	Courier/process server	\$ 39.95
656	2/6/2013	Reproduction (B&W)	\$ 0.45
657	2/6/2013	Telephone conference calls	\$ 12.80
658	2/7/2013	Accurint online research	\$ 10.84
659	2/7/2013	Reproduction (B&W)	\$ 1.80
660	2/8/2013	Parking	\$ 4.50
661	2/11/2013	Reproduction (B&W)	\$ 19.80
662	2/13/2013	Delivery of documents to Professor John Strait	\$ 65.00
663	2/14/2013	Reproduction (B&W)	\$ 9.75
664	2/19/2013	Postage	\$ 0.92
665	2/19/2013	Reproduction (B&W)	\$ 14.10
666	2/20/2013	Reproduction (B&W)	\$ 4.05
667	2/20/2013	Delivery of documents to Professor John Strait	\$ 27.00
668	2/25/2013	Reproduction (B&W)	\$ 33.00
669	2/26/2013	Westlaw charges	\$ 14.85
670	2/27/2013	Reproduction (B&W)	\$ 10.65
671	2/27/2013	Westlaw charges	\$ 80.55
672	2/28/2013	Reproduction (B&W)	\$ 25.80
673	2/28/2013	Westlaw charges	\$ 84.30
674	2/28/2013	Delivery of documents to Professor John Strait	\$ 20.00
675	3/1/2013	Westlaw charges	\$ 44.85
676	Mar-13	Long Distance	\$ 10.00

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
677	Mar-13	Research	\$ 2.10
678	3/1/2013	Air express charge	\$ 760.00
679	3/3/2013	Westlaw charges	\$ 240.45
680	3/4/2013	Reproduction (B&W)	\$ 53.85
681	3/4/2013	Reproduction (Color)	\$ 5.50
682	3/4/2013	Westlaw charges	\$ 49.65
683	3/5/2013	Reproduction (B&W)	\$ 21.15
684	3/5/2013	Reproduction (Color)	\$ 7.75
685	3/5/2013	Westlaw charges	\$ 41.40
686	3/6/2013	Reproduction (B&W)	\$ 317.85
687	3/6/2013	Reproduction (Color)	\$ 13.00
688	3/7/2013	Reproduction (B&W)	\$ 73.35
689	3/10/2013	Westlaw charges	\$ 69.60
690	3/11/2013	Parking	\$ 16.00
691	3/11/2013	Reproduction (B&W)	\$ 27.30
692	3/11/2013	Telephone conference calls	\$ 19.62
693	3/11/2013	Records request fee	\$ 105.00
694	3/12/2013	Reproduction (B&W)	\$ 2.10
695	3/12/2013	Westlaw charges	\$ 41.10
696	3/13/2013	Westlaw charges	\$ 88.20
697	3/13/2013	Photocopies and printing	\$ 662.80
698	3/14/2013	Messenger service	\$ 32.00
699	3/18/2013	Postage	\$ 0.92
700	3/18/2013	Air express charge	\$ 7.31
701	3/25/2013	Reproduction (B&W)	\$ 13.65
702	3/26/2013	Messenger service	\$ 16.00
703	3/27/2013	Reproduction (B&W)	\$ 34.20
704	3/27/2013	Westlaw charges	\$ 153.30
705	3/28/2013	Reproduction (B&W)	\$ 0.15
706	3/28/2013	Reproduction (Color)	\$ 0.25
707	3/28/2013	Reproduction (Scans)	\$ 0.10
708	3/28/2013	Westlaw charges	\$ 25.80
709	4/1/2013	Courier/process server	\$ 25.00
710	4/1/2013	Reproduction (B&W)	\$ 15.00
711	Apr-13	Long Distance	\$ 10.00
712	4/10/2013	Telephone conference calls	\$ 11.29
713	4/23/2013	Postage	\$ 0.46
714	4/23/2013	Reproduction (B&W)	\$ 11.70
715	4/23/2013	Reproduction (Color)	\$ 0.50
716	4/24/2013	Telephone conference calls	\$ 14.02
717	4/28/2013	Westlaw charges	\$ 18.75
718	4/29/2013	Reproduction (B&W)	\$ 3.60
719	4/29/2013	Reproduction (B&W)	\$ 55.95
720	4/29/2013	Westlaw charges	\$ 80.70
721	5/1/2013	Parking	\$ 7.00

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
722	5/1/2013	Reproduction (B&W)	\$ 6.00
723	5/1/2013	Westlaw charges	\$ 10.80
724	May-13	Long Distance	\$ 10.00
725	May-13	Research	\$ 6.99
726	5/2/2013	Parking	\$ 13.00
727	5/2/2013	Reproduction (B&W)	\$ 14.70
728	5/2/2013	Westlaw charges	\$ 43.80
729	5/6/2013	Reproduction (B&W)	\$ 6.15
730	5/6/2013	Westlaw charges	\$ 37.95
731	05/06/2013	Travel	\$ 325.03
732	5/7/2013	Messenger service	\$ 10.00
733	5/8/2013	Reproduction (B&W)	\$ 0.45
734	5/8/2013	Telephone conference calls	\$ 25.81
735	5/9/2013	Long distance telephone charges	\$ 5.60
736	5/13/2013	Reproduction (B&W)	\$ 35.70
737	5/15/2013	Meals	\$ 15.04
738	5/15/2013	Reproduction (B&W)	\$ 10.65
739	5/15/2013	Westlaw charges	\$ 7.80
740	5/16/2013	Meals	\$ 7.58
741	5/16/2013	Parking	\$ 16.00
742	5/16/2013	Reproduction (B&W)	\$ 1.20
743	5/16/2013	Westlaw charges	\$ 77.85
744	5/17/2013	Private Investigator	\$ 273.00
745	5/17/2013	Westlaw charges	\$ 8.25
746	5/20/2013	Reproduction (B&W)	\$ 3.15
747	5/20/2013	Messenger service	\$ 10.00
748	5/21/2013	Parking	\$ 8.00
749	05/21/2013	Travel	\$ 351.06
750	5/22/2013	Parking	\$ 16.00
751	5/22/2013	Reproduction (B&W)	\$ 423.45
752	5/22/2013	Reproduction (Color)	\$ 3.25
753	5/22/2013	Reproduction (Scans)	\$ 0.20
754	5/23/2013	Messenger service	\$ 20.00
755	5/27/2013	Westlaw charges	\$ 63.75
756	5/28/2013	Reproduction (B&W)	\$ 362.85
757	5/28/2013	Reproduction (Color)	\$ 0.75
758	5/28/2013	Reproduction (Scans)	\$ 0.55
759	5/28/2013	Westlaw charges	\$ 96.45
760	5/29/2013	Reproduction (B&W)	\$ 10.65
761	5/29/2013	Reproduction (Scans)	\$ 0.60
762	5/29/2013	Westlaw charges	\$ 120.45
763	5/29/2013	Messenger service	\$ 48.00
764	5/30/2013	Meals	\$ 27.91
765	5/30/2013	Parking	\$ 8.00
766	5/30/2013	Reproduction (B&W)	\$ 125.70

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
767	5/30/2013	Reproduction (Color)	\$ 0.25
768	5/30/2013	Reproduction (Scans)	\$ 0.20
769	5/31/2013	Courier/process server	\$ 29.00
770	5/31/2013	Parking	\$ 22.00
771	5/31/2013	Parking	\$ 2.75
772	05/31/2013	Fed Ex	\$ 41.32
773	Jun-13	Long Distance	\$ 10.00
774	6/2/2013	Parking	\$ 11.00
775	6/3/2013	Hotel Charges-Muenschner	\$ 168.06
776	6/3/2013	Meals	\$ 35.54
777	6/3/2013	Parking	\$ 16.00
778	6/3/2013	Parking	\$ 7.00
779	6/3/2013	Parking	\$ 8.00
780	6/3/2013	Reproduction (B&W)	\$ 360.90
781	6/3/2013	Reproduction (Color)	\$ 15.75
782	6/3/2013	Reproduction (Scans)	\$ 13.10
783	6/3/2013	Witness Fee-Montague (2nd day)	\$ 40.00
784	6/3/2013	Witness Fee-Moon (2nd day)	\$ 40.00
785	6/4/2013	Hotel Charges-Moon	\$ 250.66
786	6/4/2013	Hotel Charges-Montague	\$ 290.93
787	6/4/2013	Meals	\$ 30.43
788	6/4/2013	Meals	\$ 83.86
789	6/4/2013	Meals	\$ 47.36
790	6/4/2013	Parking	\$ 23.00
791	6/4/2013	Reproduction (B&W)	\$ 11.10
792	6/4/2013	Reproduction (Color)	\$ 1.25
793	6/4/2013	Transcripts	\$ 472.50
794	6/5/2013	Parking	\$ 16.00
795	6/5/2013	Reproduction (B&W)	\$ 40.50
796	6/5/2013	Witness Fee-Muenschner (2nd day)	\$ 40.00
797	6/6/2013	Parking	\$ 16.00
798	6/6/2013	Reproduction (B&W)	\$ 4.50
799	6/7/2013	Courier/process server	\$ 79.50
800	6/7/2013	Transcripts	\$ 245.70
801	6/8/2013	Westlaw charges	\$ 74.10
802	6/9/2013	Westlaw charges	\$ 1.95
803	6/10/2013	Parking	\$ 16.00
804	6/10/2013	Reproduction (B&W)	\$ 171.90
805	6/11/2013	Accurint online research	\$ 21.68
806	6/11/2013	Parking	\$ 16.00
807	6/12/2013	Parking	\$ 16.00
808	6/12/2013	Reproduction (B&W)	\$ 9.75
809	6/12/2013	Reproduction (Color)	\$ 32.25
810	6/12/2013	Westlaw charges	\$ 54.00
811	6/13/2013	Parking	\$ 13.00

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
812	6/13/2013	Reproduction (B&W)	\$ 5.40
813	6/13/2013	Westlaw charges	\$ 64.80
814	6/13/2013	Messenger service	\$ 38.00
815	6/14/2013	Parking	\$ 22.00
816	6/15/2013	Westlaw charges	\$ 99.75
817	6/17/2013	Parking	\$ 9.00
818	6/17/2013	Reproduction (B&W)	\$ 86.70
819	6/17/2013	Reproduction (Color)	\$ 10.00
820	6/17/2013	Reproduction (Scans)	\$ 0.55
821	6/18/2013	Parking	\$ 15.00
822	6/18/2013	Postage	\$ 4.74
823	6/18/2013	Reproduction (B&W)	\$ 9.15
824	6/18/2013	Reproduction (Color)	\$ 10.25
825	6/19/2013	Reproduction (B&W)	\$ 0.45
826	6/19/2013	Reproduction (Color)	\$ 84.25
827	6/21/2013	Private Investigator	\$ 312.00
828	7/1/2013	Reproduction (B&W)	\$ 0.90
829	Jul-13	Long Distance	\$ 10.00
830	Jul-13	Research	\$ 3.40
831	7/10/2013	Reproduction (B&W)	\$ 1.50
832	7/10/2013	Westlaw charges	\$ 84.45
833	7/12/2013	Westlaw charges	\$ 209.85
834	7/15/2013	Westlaw charges	\$ 9.75
835	7/16/2013	Westlaw charges	\$ 117.15
836	7/18/2013	Westlaw charges	\$ 34.35
837	7/22/2013	Westlaw charges	\$ 265.80
838	7/22/2013	Westlaw charges	\$ 265.80
839	7/22/2013	Westlaw charges	\$ 265.80
840	7/23/2013	Reproduction (B&W)	\$ 4.95
841	7/24/2013	Reproduction (B&W)	\$ 5.70
842	7/24/2013	Westlaw charges	\$ 36.30
843	7/29/2013	Reproduction (B&W)	\$ 0.30
844	7/30/2013	Westlaw charges	\$ 7.80
845	Aug-13	Long Distance	\$ 10.00
846	8/5/2013	Reproduction (Color)	\$ 1.00
847	8/7/2013	Westlaw charges	\$ 18.75
848	8/14/2013	Westlaw charges	\$ 5.85
849	8/15/2013	Messenger service	\$ 16.00
850	8/19/2013	Reproduction (B&W)	\$ 16.20
851	Sep-13	Long Distance	\$ 10.00
852	Oct-13	Courier	\$ 1.13
853	Oct-13	Long Distance	\$ 10.00
854	10/14/2013	Reproduction (Color)	\$ 0.50
855	10/17/2013	Reproduction (B&W)	\$ 0.30
856	10/28/2013	Reproduction (B&W)	\$ 1.20

	A	B	C
1	DATE	DESCRIPTION OF CHARGE	AMOUNT
857	Nov-13	Long Distance	\$ 10.00
858	11/18/2013	Reproduction (B&W)	\$ 3.60
859	11/21/2013	Reproduction (B&W)	\$ 0.15
860	11/21/2013	Reproduction (Color)	\$ 0.50
861	Dec-13	Long Distance	\$ 10.00
862	12/4/2013	Reproduction (B&W)	\$ 3.45
863	12/9/2013	Westlaw charges	\$ 216.30
864	12/12/2013	Reproduction (B&W)	\$ 5.55
865	12/17/2013	Reproduction (B&W)	\$ 84.45
866		GRAND TOTAL	\$ 43,496.50

— APPENDIX C —

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	LINE TOTAL	DESCRIPTION
2	12/9/13	Marshall	3.30	\$ 375.00	\$ 1,237.50	Researched and analyzed issues regarding recovery of attorneys' fees and expenses [2.4]; telephone conference with co-counsel regarding same [.2]; researched and analyzed issues regarding Rule 23(h) requirement of notice for fees motion and advisory committee note regarding court's ability to 'calibrate' same [.7].
3	12/10/13	Dunne	1.30	\$ 380.00	\$ 494.00	Conference call with co-counsel re fee petition; conduct legal research for fee petition;
4	12/10/13	Marshall	0.10	\$ 375.00	\$ 37.50	Worked on review of fees and expenses [.1].
5	12/10/13	Marshall	3.60	\$ 375.00	\$ 1,350.00	Telephone conferences with co-counsel regarding strategy and division of work for submission of motions for fees and litigation expenses [1.5]; researched and analyzed issues regarding fees and expenses standards under section 1988 [1.1]; worked on compilations of fees and expenses [1.0].
6	12/10/13	Zuchetto	1.00	\$ 330.00	\$ 330.00	Conference call w/ co-counsel re fee/expense petition.
7	12/10/13	Zuchetto	1.50	\$ 330.00	\$ 495.00	Work on SLG fee/expense petition.
8	12/11/13	Bergland	1.30	\$ 190.00	\$ 247.00	Office conference with Zuchetto re: Fee Petition (.2); work on analysis of time entries (1.0); Office conference with KAR re: cost summary needed (.1).
9	12/11/13	Bergland	0.90	\$ 190.00	\$ 171.00	Begin draft of Zuchetto Declaration in support of Fee Petition.
10	12/11/13	Dunne	0.80	\$ 380.00	\$ 304.00	Telephone conference with co-counsel re fee petition and email correspondence re same; telephone correspondence with S. Mungia re fee declaration;
11	12/11/13	Marshall	2.90	\$ 375.00	\$ 1,087.50	Worked on materials in support of fees and expenses motion and researched and analyzed issues regarding same [2.6]; telephone conference with co-counsel regarding same [.3].
12	12/11/13	Stanley	0.20	\$ 100.00	\$ 20.00	Worked on motion for attorneys' fees.
13	12/11/13	Williams	0.50	\$ 580.00	\$ 290.00	Coordinate with D. Burman and B. Keller on submitting fee declaration supporting fee request;

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	LINE TOTAL	DESCRIPTION
14	12/11/13	Zuchetto	2.75	\$ 330.00	\$ 907.50	Work on fee/expense petition.
15	12/11/13	Zuchetto	0.75	\$ 330.00	\$ 247.50	Participate in conference call and e-mail co-counsel re same.
16	12/12/13	Bergland	1.50	\$ 190.00	\$ 285.00	Revisions to Fee Petition Declaration and preparation of lodestar analysis.
17	12/12/13	Marshall	0.20	\$ 375.00	\$ 75.00	Telephone conference with co-counsel regarding call with Mr. Harrison and plan for implementing injunctive relief [.2].
18	12/12/13	Marshall	4.70	\$ 375.00	\$ 1,762.50	Worked on motion and supporting documents for award of fees and expenses and researched and analyzed issues regarding same [2.9]; worked on review, redaction, and reduction of time records [1.8].
19	12/12/13	Williams	0.70	\$ 580.00	\$ 406.00	Review and edit declarations of James F. Williams and Bradley Keller in support of Motion for Award of Attorneys' Fees;
20	12/12/13	Zuchetto	1.00	\$ 330.00	\$ 330.00	Analyze/review SLG time entries re fee petition.
21	12/13/13	Bergland	1.50	\$ 190.00	\$ 285.00	Final revisions to Declaration; Office conference with Zuchetto re: Fee Petition; prepare spreadsheet for Fee Petition.
22	12/13/13	Dunne	5.60	\$ 380.00	\$ 2,128.00	Telephone conference with J. Shaeffer re fee declaration; review time sheets for ACLU and Perkins Coie; conduct legal research for fee petition;
23	12/13/13	Fisher	1.00	\$ 330.00	\$ 330.00	Edit B. Keller's declaration in support of fee petition; edit J. Williams' declaration in support of fee petition;
24	12/13/13	Marshall	3.50	\$ 375.00	\$ 1,312.50	Worked on declaration in support of motion for award of attorneys' fees and expenses [1.1]; worked on review, redaction, and reduction of fees [1.8]; reviewed case file for summary of work done in litigation [.6].
25	12/13/13	Zuchetto	1.25	\$ 330.00	\$ 412.50	Review/edit decl. iso fee petition and email co-counsel re same.
26	12/14/13	Marshall	2.00	\$ 375.00	\$ 750.00	Worked on motion for award of attorneys' fees and litigation expenses [2.0].

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	LINE TOTAL	DESCRIPTION
27	12/15/13	Dunne	3.50	\$ 380.00	\$ 1,330.00	draft and revise Dunne declaration in support of fee petition; revise Williams declaration in support of fee petition; review timesheets for ACLU and Perkins Coie; email correspondence with S. Mungia re fee declaration; email correspondence with J. Shaeffer re fee declaration
28	12/15/13	Marshall	3.70	\$ 375.00	\$ 1,387.50	Worked on motion for award of attorneys' fees and expenses and researched and analyzed issues regarding same [3.7].
29	12/16/13	Bergland	1.50	\$ 190.00	\$ 285.00	Office conference with Zuchetto re: Fee Petition; work on allocation of fee petition time re co-counsel instructions.
30	12/16/13	Dunne	2.40	\$ 380.00	\$ 912.00	Meeting with co-counsel re fee petition; telephone conference with co-counsel re fee petition; revise Dunne and Williams declarations for fee petition
31	12/16/13	Fisher	0.60	\$ 330.00	\$ 198.00	Read motion for attorneys' fees and expenses; participate in conference with J. Williams, S. Dunn, and T. Marshall regarding fee petition; gather updated time sheets and breakdown of disbursements;
32	12/16/13	Marshall	4.60	\$ 375.00	\$ 1,725.00	Worked on motion for award of fees and expenses and researched and analyzed issues regarding same [1.8]; meeting and telephone conference with co-counsel regarding review, redaction, and reduction of time records [2.5]; worked on same [.3].
33	12/16/13	Zuchetto	2.50	\$ 330.00	\$ 825.00	Prep. for and participate in conference call w/ Marshall, Sarah re fees/expenses and review same (2.25), discuss same w/ James (.25), work on SLG fee/expense petition and discuss same w/ KB (1.0).
34	12/17/13	Bergland	4.20	\$ 190.00	\$ 798.00	Office conference with Zuchetto re: Fee Petition (.2); revisions to time entries to standardize and consolidate same; preparation of revised spreadsheets; e-mail co-counsel re: same (4.0).

	A	B	C	D	E	F
1	DATE	TIME KEEPER	HOURS	RATE	LINE TOTAL	DESCRIPTION
35	12/17/13	Dunne	3.50	\$ 380.00	\$ 1,330.00	Draft and revise cost sheets for ACLU and Perkins for Section 1988 fee petition; email correspondence with co-counsel re same; revise fee petition; revise Dunne and Williams declarations
36	12/17/13	Marshall	5.00	\$ 375.00	\$ 1,875.00	Worked on presentation of detailed fees [1.4]; telephone conference with co-counsel regarding same [.1]; worked on motion for fees and expenses and declarations in support of same [3.3]; email correspondence with co-counsel regarding same [.2].
37	12/17/13	Zuchetto	5.25	\$ 330.00	\$ 1,732.50	Review/edit brief in support of fee petition and email co-counsel re same (1.0); review SLG fee/expenses and supporting decl. re same (1); edit/finalize supporting declaration (3.25).
38	12/18/13	Marshall	4.80	\$ 375.00	\$ 1,800.00	Worked on finalizing all materials in support of motion for fees and expenses [4.8].
39			85.40		\$29,493.00	

Exhibit A-5

COMPLAINT

FILED

17 SEP 05 PM 2:06

KING COUNTY
SUPERIOR COURT CLERK
E-FILED

CASE NUMBER: 17-2-23242-4 SEA

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO.

CLASS ACTION COMPLAINT FOR
DAMAGES

Plaintiff Kurt Skau brings this action on his own behalf and on behalf of all others
similarly situated and alleges as follows:

I. INTRODUCTION

1.1 Nature of Action. Plaintiff Kurt Skau brings this class action against JBS Carriers, Inc. ("Defendant"). Defendant is a truckload transportation company that delivers goods throughout the United States, including the state of Washington. Plaintiff alleges Defendant has engaged in a common course of failing to compensate its Washington-based driver employees for the paid rest breaks to which they are entitled, failing to compensate driver employees for all hours of work, and failing to pay overtime wages.

II. JURISDICTION AND VENUE

2.1 Jurisdiction. Defendant is within the jurisdiction of this Court. Defendant conducts business in Washington. Defendant hires drivers that reside in Washington and have

2.3 Governing Law. The claims asserted on behalf of Plaintiff and Class members in this complaint are brought solely under state law causes of action and are governed exclusively by Washington law.

3.1 Plaintiff Kurt Skau. Plaintiff worked for Defendant from approximately November 9, 2015 to May 5, 2017. Plaintiff worked as part of Defendant's Western Regional fleet and regularly transported goods within the western part of the United States, including the state of Washington. Plaintiff has a commercial driver's license issued by the state of Washington. During the duration of his employment, Plaintiff was a resident of Port Orchard, Washington. Plaintiff performed work for Defendant in King County, Washington.

CLASS ACTION COMPLAINT FOR DAMAGES - 2

IV. CLASS ACTION ALLEGATIONS

4.1 Class Definition. Under Civil Rule 23(a) and (b)(3), Plaintiff brings this case as a class action against Defendant on behalf of the class defined as follows (the “Class”):

All current and former employees of JBS Carriers, Inc. who worked as drivers for the company while residing in the state of Washington at any time between September 5, 2014 and the date of final disposition of this action.

Excluded from the Class are any entity in which Defendant has a controlling interest or that has a controlling interest in Defendant, and Defendant’s legal representatives, assignees, and successors. Also excluded are the judge to whom this case is assigned and any member of the judge’s immediate family.

4.2 Numerosity. Plaintiff believes that more than one hundred persons have worked as driver employees for Defendant while based in Washington during the proposed class period. The Class members are so numerous that joinder of all members is impracticable. Moreover, the disposition of the claims of the Class in a single action will provide substantial benefits to all parties and the Court.

4.3 Commonality. There are numerous questions of law and fact common to Plaintiff and Class members. These questions include, but are not limited to, the following:

- a. Whether Defendant has engaged in a common course of failing to pay Class members at no less than minimum wage for all hours spent in mandatory orientation and driver training;
- b. Whether Defendant has engaged in a common course of failing to pay Class members at no less than minimum wage for all non-driving work performed;
- c. Whether Defendant has engaged in a common course of failing to pay Class members overtime compensation for hours worked beyond 40 in a week;

- d. Whether Defendant has engaged in a common course of failing to separately pay Class members for rest breaks, whether received or not;
- e. Whether Defendant has engaged in a common course of failing to keep true and accurate time records for all hours worked by Class members;
- f. Whether Defendant's failure to pay all wages owed to Class members was willful;
- g. Whether Defendant has violated RCW 49.12.020;
- h. Whether Defendant has violated WAC 296-126-092;
- i. Whether Defendant has violated RCW 49.46.090;
- j. Whether Defendant has violated RCW 49.46.130;
- k. Whether Defendant has violated WAC 296-128-012;
- l. Whether Defendant has violated RCW 49.46.040;
- m. Whether Defendant has violated WAC 296-128-010;
- n. Whether Defendant has violated WAC 296-128-011;
- o. Whether Defendant has violated WAC 296-128-020;
- p. Whether Defendant has violated WAC 296-126-040;
- q. Whether Defendant has violated WAC 296-126-050;
- r. Whether Defendant has violated RCW 49.48.010;
- s. Whether Defendant has violated RCW 49.52.050; and
- t. The nature and extent of Class-wide injury and the measure of compensation for such injury.

4.4 Typicality. Plaintiff's claims are typical of the claims of the Class. Plaintiff has performed work for Defendant as a driver employee while residing in the state of Washington and is thus a member of the Class. Plaintiff's claims, like the claims of the Class, arise out of the same common course of conduct by Defendant and are based on the same legal and remedial theories.

1 4.5 Adequacy. Plaintiff will fairly and adequately protect the interests of the Class.
2 Plaintiff has retained competent and capable attorneys who have significant experience in
3 complex and class action litigation, including employment law. Plaintiff and his counsel are
4 committed to prosecuting this action vigorously on behalf of the Class and have the financial
5 resources to do so. Neither Plaintiff nor his counsel have interests that are contrary to or that
6 conflict with those of the Class.

7 4.6 Predominance. Defendant has engaged in a common course of wage and hour
8 abuse toward Plaintiff and members of the Class. The common issues arising from this
9 conduct that affect Plaintiff and members of the Class predominate over any individual issues.
10 Adjudication of these common issues in a single action has important and desirable
11 advantages of judicial economy.

12 4.7 Superiority. Plaintiff and Class members have suffered and will continue to
13 suffer harm and damages as a result of Defendant's unlawful and wrongful conduct. Absent a
14 class action, however, most Class members likely would find the cost of litigating their claims
15 prohibitive. Class treatment is superior to multiple individual suits or piecemeal litigation
16 because it conserves judicial resources, promotes consistency and efficiency of adjudication,
17 provides a forum for small claimants, and deters illegal activities. There will be no significant
18 difficulty in the management of this case as a class action. The Class members are readily
19 identifiable from Defendant's records.

20 **V. SUMMARY OF FACTUAL ALLEGATIONS**

21 5.1 Common Course of Conduct: Failure to Pay for All Hours of Work. Defendant
22 has engaged in a common course of failing to pay Plaintiff and Class members for each hour
23 worked.

24 5.2 Defendant pays its drivers a piece rate for driving work—specifically, a certain
25 amount for each mile driven. Defendant also pays drivers a piece rate for certain other
26 activities.
27

1 5.3 Defendant has engaged in a common course of failing to pay Plaintiff and Class
2 members at least minimum wage for all hours of work performed during mandatory
3 orientation and driver training. Defendant requires new drivers to attend a mandatory
4 orientation at Defendant's headquarters in Greeley, Colorado. Defendant pays drivers a set
5 weekly rate for this orientation. Defendant also requires new drivers to complete at least
6 15,000 miles of driver training. Defendant pays drivers a set weekly rate for hours spent
7 training.

8 5.4 Defendant has engaged in a common course of failing to pay Plaintiff and Class
9 members at least minimum wage for all hours spent performing many work activities,
10 including but not limited to pickups, deliveries, waiting and detention time, fueling, scaling,
11 loading, washing and cleaning trailers and tractors, unloading, pre-trip and post-trip
12 inspections, communicating with dispatch, completing paperwork, completing online training
13 courses, assisting new driver orientation, transporting drivers to and from Defendant's
14 facilities, and moving trailers at Defendant's facilities.

15 5.5 Defendant has engaged in a common course of encouraging Plaintiff and Class
16 members to perform non-driving work activities while off the clock and in "off-duty" or
17 "sleeper berth" status.

18 5.6 Defendant has had actual or constructive knowledge of the facts set forth in
19 Paragraphs 5.1 through 5.5.

20 5.7 Common Course of Conduct: Failure to Provide Paid Rest Breaks. Defendant
21 has engaged in a common course of failing to provide Plaintiff and Class members with a paid
22 ten-minute rest break for every four hours of work.

23 5.8 Defendant has engaged in a common course of failing to separately pay Class
24 members for rest breaks, whether received or not, at their average hourly rate.

25 5.9 Defendant has had actual or constructive knowledge of the facts set forth in
26 Paragraphs 5.7 through 5.8.

5.10 Common Course of Conduct: Failure to Pay Overtime Wages. Defendant has engaged in a common course of failing to pay overtime wages to Plaintiff and Class members.

5.11 Defendant has engaged in a common course of failing to pay overtime wages to Plaintiff and Class members for hours worked in excess of forty hours per week. Defendant's piece-rate compensation system fails to pay drivers the reasonable equivalent of overtime pay.

5.12 Defendant has had actual or constructive knowledge of the facts set forth in Paragraphs 5.10 through 5.11.

5.13 Common Course of Conduct: Failure to Maintain and Provide Accurate Wage Statements. Defendant has engaged in a common course of failing to keep true and accurate time records for all hours worked by Plaintiff and Class members.

5.14 Defendant has engaged in a common course of failing to provide proper payroll documents to Plaintiff and Class members.

5.15 Defendant has had actual or constructive knowledge of the facts set forth in Paragraphs 5.13 through 5.14.

**VI. FIRST CLAIM FOR RELIEF
(Violations of RCW 49.12.020 and WAC 296-126-092 —
Failure to Provide Paid Rest Periods)**

6.1 Plaintiff realleges and incorporates by reference each and every allegation set forth in the preceding paragraphs.

6.2 RCW 49.12.010 provides that "[t]he welfare of the state of Washington demands that all employees be protected from conditions of labor which have a pernicious effect on their health. The state of Washington, therefore, exercising herein its police and sovereign power declares that inadequate wages and unsanitary conditions of labor exert such pernicious effect."

1 6.3 RCW 49.12.020 provides that “[i]t shall be unlawful to employ any person in
2 any industry or occupation within the state of Washington under conditions of labor
3 detrimental to their health.”

4 6.4 Under RCW 49.12.005 and WAC 296-126-002, “conditions of labor” “means
5 and includes the conditions of rest . . . periods” for employees.

6 6.5 WAC 296-126-092 provides that employees shall be allowed certain paid rest
7 periods during their shifts.

8 6.6 Under Washington law, Defendant has an obligation to separately pay
9 employees for each rest break to which they are entitled, regardless of whether the
10 employees receive those rest breaks.

11 6.7 By the actions alleged above, Defendant has violated the provisions of RCW
12 49.12.020 and WAC 296-126-092.

13 6.8 As a result of the unlawful acts of Defendant, Plaintiff and members of the
14 Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff
15 and members of the Class are entitled to the recovery of such damages, including interest
16 thereon, attorneys’ fees under RCW 49.48.030, and costs.

17 **VII. SECOND CLAIM FOR RELIEF**
18 **(Violation of RCW 49.46.090 — Payment of Wages Less than Entitled)**

19 7.1 Plaintiff realleges and incorporates by reference each and every allegation set
20 forth in the preceding paragraphs.

21 7.2 RCW 49.46.020 provides that every employer shall pay its employees not less
22 than the minimum hourly wage in effect at the time the work is performed.

23 7.3 RCW 49.46.090 provides that “[a]ny employer who pays any employee less
24 than wages to which such employee is entitled under or by virtue of [the Minimum Wage Act],
25 shall be liable to such employee affected for the full amount of such wage rate, less any
26 amount actually paid to such employee by the employer, and for costs and such reasonable
27 attorney's fees as may be allowed by the court.”

7.4 By the actions alleged above, Defendant has violated the provisions of RCW 49.46.090.

7.5 As a result of the unlawful acts of Defendant, Plaintiff and members of the Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff and members of the Class are entitled to the recovery of such damages, including interest thereon, as well as attorneys' fees and costs under RCW 49.46.090.

**VIII. THIRD CLAIM FOR RELIEF
(Violations of RCW 49.46.130 – Failure to Pay Overtime Wages)**

8.1 Plaintiff realleges and incorporate by reference each and every allegation set forth in the preceding paragraphs.

8.2 RCW 49.46.130 provides that “no employer shall employ any of his employees for a workweek longer than 40 hours unless such employee receives compensation for his employment in excess of the hours above specified at a rate not less than one and one-half times the regular rate at which he is employed.”

8.3 RCW 49.46.130 (f) excludes an individual employed as a truck or bus driver who is subject to the provisions of the Federal Motor Carrier Act (49 U.S.C. Sec. 3101 et seq. and 49 U.S.C. Sec. 10101 et seq.), if the compensation system under which the truck or bus driver is paid includes overtime pay, reasonably equivalent to that required by this subsection, for working longer than forty hours per week. Upon information and belief, Defendant did not employ a “reasonably equivalent” method to pay overtime to Plaintiff and Class members.

8.4 WAC 296-128-012 provides a method for compensating truck drivers for overtime pay. Defendant did not compensate Plaintiff and Class members for overtime hours worked.

8.5 By the actions alleged above, Defendant has violated the provisions of RCW 49.46.130.

8.6 As a result of the unlawful acts of Defendant, Plaintiff and members of the Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff

and members of the Class are entitled to recovery of such damages, including interest thereon, as well as attorneys' fees and costs under RCW 49.46.090.

IX. FOURTH CLAIM FOR RELIEF
(Violation of RCW 49.48.010 — Unpaid Wages on Termination)

9.1 Plaintiff realleges and incorporates by reference each and every allegation set forth in the preceding paragraphs.

9.2 RCW 49.48.010 provides that "[w]hen any employee shall cease to work for an employer, whether by discharge or by voluntary withdrawal, the wages due him or her on account of his or her employment shall be paid to him or her at the end of the established pay period." The statute further provides that "[i]t shall be unlawful for any employer to withhold or divert any portion of an employee's wages"

9.3 By the actions alleged above, Defendant has violated the provisions of RCW 49.48.010 by failing to pay wages to Plaintiff and Class members for rest breaks, by failing to pay wages to Plaintiff and Class members for all hours of work, and by failing to pay overtime wages to Plaintiff and Class members.

9.4 As a result of the unlawful acts of Defendant, Plaintiff and members of the Class have been deprived of compensation in amounts to be determined at trial, and Plaintiff and members of the Class are entitled to the recovery of such damages, including interest thereon, attorneys' fees under RCW 49.48.030, and costs.

X. FIFTH CLAIM FOR RELIEF
(Violation of RCW 49.52.050 — Willful Deprivation of Wages)

10.1 Plaintiff realleges and incorporates by reference each and every allegation set forth in the preceding paragraphs.

10.2 RCW 49.52.050(2) provides that "[a]ny employer or officer, vice principal or agent of any employer . . . who . . . [w]ilfully and with intent to deprive the employee of any part of his or her wages, shall pay any employee a lower wage than the wage such employer is

1 obligated to pay such employee by any statute, ordinance, or contract” shall be guilty of a
2 misdemeanor.

3 10.3 Defendant’s violations of RCW 49.12.020, WAC 296-126-092, RCW 49.46.090,
4 RCW 49.46.130, and RCW 49.48.010 as discussed above, were willful and constitute violations
5 of RCW 49.52.050.

6 10.4 RCW 49.52.070 provides that any employer who violates the provisions of RCW
7 49.52.050 shall be liable in a civil action for twice the amount of wages withheld, attorneys’
8 fees, and costs.

9 10.5 As a result of the willful, unlawful acts of Defendant, Plaintiff and members of
10 the Class have been deprived of compensation in amounts to be determined at trial and
11 Plaintiff and members of the Class are entitled to recovery of twice such damages, including
12 interest thereon, as well as attorneys’ fees and costs under RCW 49.52.070.

13 **XI. PRAYER FOR RELIEF**

14 WHEREFORE, Plaintiff, on his own and on behalf of the members of the Class, prays for
15 judgment against Defendant as follows:

- 16 A. Certify the proposed Class;
- 17 B. Appoint Plaintiff as representative of the Class;
- 18 C. Appoint the undersigned attorneys as counsel for the Class;
- 19 D. Award compensatory and exemplary damages to Plaintiff and Class members
20 for violation of Washington’s wage and hour laws, in amounts to be proven at
21 trial;
- 22 E. Award attorneys’ fees and costs to Plaintiff and Class members, as allowed by
23 law;
- 24 F. Award prejudgment and post-judgment interest to Plaintiff and Class members,
25 as provided by law;
- 26
- 27

- 1 G. Permit Plaintiff and members of the Class leave to amend the complaint to
2 conform to the evidence presented at trial; and
3 H. Grant such other and further relief as the Court deems necessary, just, and
4 proper.

5 RESPECTFULLY SUBMITTED AND DATED this 5th day of September, 2017.

6 TERRELL MARSHALL LAW GROUP PLLC
7

8 By: /s/ Toby J. Marshall, WSBA #32726

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20 *Attorneys for Plaintiff*
21
22
23
24
25
26
27

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

KURT SKAU, on behalf of himself and on behalf of others similarly situated

(b) County of Residence of First Listed Plaintiff King County
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)
See Attachment A

DEFENDANTS

JBS CARRIERS, INC.

County of Residence of First Listed Defendant Delaware
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)
See Attachment A

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
- ☐ 2 U.S. Government Defendant
- ☐ 3 Federal Question (U.S. Government Not a Party)
- ☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|---------------------------------------|----------------------------|---|----------------------------|---------------------------------------|
| Citizen of This State | <input checked="" type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business In This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business In Another State | <input type="checkbox"/> 5 | <input checked="" type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	PERSONAL INJURY <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC §81 <input type="checkbox"/> 690 Other LABOR <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input checked="" type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act IMMIGRATION <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	PRISONER PETITIONS Habeas Corpus: <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty Other: <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☐ 1 Original Proceeding
- ☒ 2 Removed from State Court
- ☐ 3 Remanded from Appellate Court
- ☐ 4 Reinstated or Reopened
- ☐ 5 Transferred from Another District (specify)
- ☐ 6 Multidistrict Litigation - Transfer
- ☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

28 U.S.C. § 1332; 28 U.S.C. § 1367

Brief description of cause:

Plaintiff alleges failure to pay wages owed under state law

VII. REQUESTED IN COMPLAINT:

☒ CHECK IF THIS IS A CLASS ACTION DEMAND \$

UNDER RULE 23, F.R.Cv.P.

CHECK YES only if demanded in complaint:

JURY DEMAND: ☐ Yes ☒ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

10/05/2017

SIGNATURE OF ATTORNEY OF RECORD

/s/ Michael Killeen

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

ATTACHMENT A

Plaintiff's Attorneys

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Jonathon Watson (*Pro Hac Vice* application forthcoming)
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UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

No.

Plaintiff,

CERTIFICATE OF SERVICE

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

I hereby certify that on October 5, 2017, I electronically filed a Notice of Removal, Certificate of Filing, Civil Cover Sheet, Verification of State Court Records, Defendant's Corporate Disclosure Statement, and this Certificate of Service with the Clerk of the Court using the CM/ECF system and served copies of such filings to the following in the manner noted below:

TERRELL MARSHALL LAW GROUP LLC
Toby J. Marshall, WSBA # 32726
Email: tmarshall@terrellmarshall.com
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- ☐ Via Legal Messenger
- ☐ U.S. Mail, postage prepaid
- ☐ Federal Express
- ☐ Facsimile
- ☐ E-Serve Application
- ☒ Email

<p>REKHI & WOLK, P.S. Hardeep S. Rekhi, WSBA #34579 Email: Hardeep@rekhiwolk.com Gregory A. Wolk, WSBA #28946 Email: greg@rekhiwolk.com 529 Warren Avenue North, Suite 201 Seattle, WA 98109 Telephone: (206) 388-5887 Facsimile: (206) 577-3924</p>	<p><input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Serve Application <input checked="" type="checkbox"/> Email</p>
---	---

DATED this 5th day of October 2017.

Davis Wright Tremaine LLP

By: /s/ Michael J. Killeen

Michael J. Killeen, WSBA # 7837
N. Joseph Wonderly, WSBA # 51925
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Sherman & Howard LLC

By: /s/ Jonathon Watson

Jonathon Watson (*Pro Hac Vice* application forthcoming)
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E-mail: JWatson@shermanhoward.com

Attorneys for Defendant JBS Carriers, Inc.

CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington that on October 5, 2017, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system and served a copy of such filing to the following in the manner noted below:

TERRELL MARSHALL LAW GROUP LLC Toby J. Marshall, WSBA # 32726 Email: tmarshall@terrellmarshall.com Maria Hoisington-Bingham, WSBA # 51493 Email: mhoisington@terrellmarshall.com 936 North 34 th Street, Suite 300 Seattle, Washington 98103-8869 Telephone: 206-816-6603 Facsimile: 206-319-5450	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Serve Application <input checked="" type="checkbox"/> Email
REKHI & WOLK, P.S. Hardeep S. Rekhi, WSBA #34579 Email: Hardeep@rekhiwolk.com Gregory A. Wolk, WSBA #28946 Email: greg@rekhiwolk.com 529 Warren Avenue North, Suite 201 Seattle, WA 98109 Telephone: (206) 388-5887 Facsimile: (206) 577-3924	<input type="checkbox"/> Via Legal Messenger <input type="checkbox"/> U.S. Mail, postage prepaid <input type="checkbox"/> Federal Express <input type="checkbox"/> Facsimile <input type="checkbox"/> E-Serve Application <input checked="" type="checkbox"/> Email

DATED this 5th day of October 2017.

/s/ Daniela Najera

Daniela Najera, Legal Secretary

Exh. B-11

FILED
KING COUNTY, WASHINGTON,

DEC 22 2017

DEPARTMENT OF
JUDICIAL ADMINISTRATION

IN THE SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

SKAU

vs

JBS CARRIERS INC

NO. 17-2-23242-4

☒ SEA
☐ KNT

Notice of remand from US District Court.

THE HONORABLE JOHN C. COUGHENOUR

CERTIFIED TRUE COPY
ATTEST: WILLIAM M. McCOOL
Clerk, U.S. District Court
Western District of Washington

By [Signature]
Deputy Clerk

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT SKAU, *et al.*,

Plaintiffs,

v.

JBS CARRIERS, INC.,

Defendant.

CASE NO. C17-1499-JCC

ORDER

This matter comes before the Court on Plaintiffs' motion for remand (Dkt. No. 13).

Having thoroughly considered the parties' briefing and the relevant record, the Court finds oral argument unnecessary and hereby GRANTS the motion as it relates to remand and DENIES the motion as it relates to the award of attorney fees and costs.

I. BACKGROUND

Plaintiff Kurt Skau ("Skau") worked as a truck driver for Defendant JBS Carriers, Inc. ("JBS"). (Dkt. No. 1-1 at 3.) Skau filed a class action lawsuit against JBS in King County Superior Court alleging that JBS violated several Washington State pay and hour regulations. (*Id.* at 4-5.) JBS removed the lawsuit to this Court asserting diversity jurisdiction under 28 U.S.C. § 1332. (Dkt. No. 1.) Skau asks the Court to remand the case to state court because JBS has not proved that the amount in controversy is greater than \$75,000. (Dkt. No. 13 at 6.)

//

1 **II. DISCUSSION**

2 A party to a civil action brought in state court may remove that action to federal court if
3 the district court would have had original jurisdiction at the time of both commencement of the
4 action and removal. *See* 28 U.S.C. § 1441(a); 14B Charles Alan Wright & Arthur R. Miller,
5 Federal Practice and Procedure § 3723 (4th ed. 2013). Where federal jurisdiction is conferred by
6 diversity, the removing party bears the burden of proving complete diversity of citizenship and
7 an amount in controversy greater than \$75,000. *See Abrego Abrego v. The Dow Chem. Co.*, 443
8 F.3d 676, 683 (9th Cir. 2006) (citation omitted). There is a strong presumption against removal
9 jurisdiction, and federal jurisdiction “must be rejected if there is any doubt as to the right of
10 removal in the first instance.” *Gaus v. Miles, Inc.*, 980 F.2d 564, 566 (9th Cir.1992). If the
11 complaint does not specify the amount of damages claimed, a removing defendant must establish
12 the amount in controversy requirement by a preponderance of the evidence. *Id.* at 566-67.

13 Skau’s motion turns on a single issue: should the Court factor prospective attorney fees
14 into the \$75,000 amount in controversy requirement when it determines whether removal is
15 proper under 28 U.S.C. § 1441. Skau asserts that the Court should only consider attorney fees
16 that have been incurred at the time of removal. (Dkt. No. 13 at 9.) JBS argues that the Court may
17 add to the amount in controversy a reasonable estimate of Plaintiff’s attorney fees likely to be
18 incurred during litigation. (Dkt. No. 1 at 8.)

19 It is undisputed that where an underlying statute authorizes an award of attorney fees to a
20 prevailing party, a claim for such fees can be included in the amount in controversy. *Galt G/S v.*
21 *JSS Scandinavia*, 142 F.3d 1150, 1155 (9th Cir. 1998). There is Circuit split, however, as to
22 whether attorney fees incurred after removal should be included in the amount in controversy.
23 *Compare Hart v. Schering-Plough Corp.*, 253 F.3d 272, 273-74 (7th Cir. 2001) (holding
24 prospective attorney fees are not included as part of amount in controversy), *with Suber v.*
25 *Chrysler Corp.*, 104 F.3d 578, 585 (3d Cir. 1997), (“in calculating the amount in controversy, we
26 must consider potential attorney’s fees.”) The Ninth Circuit has not resolved this issue. *See*

1 *Gonzales v. CarMax Auto Superstores, LLC*, 840 F.3d 644, 649 n. 2 (9th Cir. 2016). As the
2 parties point out, courts across the Circuit—and within the District—have reached differing
3 conclusions. (Dkt. Nos. 13 at 9); *compare Keodalah v. Allstate Ins. Co.*, No. C15-01412-RAJ,
4 slip op. at 4 (W.D. Wash. Mar. 25, 2016) (holding that future attorney fees should not be
5 included in amount in controversy), *with Roe v. Teletech Customer Care Mgmt. (CO), LLC*, No.
6 C07-5149-RBL, slip op. at 4 (W.D. Wash. June 6, 2007) (holding that estimates of future
7 attorney fees can be included in the amount in controversy).

8 The Court has addressed this issue in a prior case. *See Holstrom v. Safeco Insurance*
9 *Company*, Case No. C12-0506-JCC, Dkt. No. 28 at 4 (W.D. Wash. 2012). Similar to this case,
10 *Holstrom* involved a class action lawsuit that the Defendant removed to this Court based on
11 diversity jurisdiction. *Id.* at 2. The Defendant argued that the amount in controversy requirement
12 was met because the Plaintiff's attorney would ultimately expend more than \$75,000 litigating
13 the case. *Id.* The Court reasoned that because diversity jurisdiction must be determined at the
14 time an action commences, it is too speculative and impractical to estimate prospective attorney
15 fees as part of the amount in controversy. *Id.* The Court held that its position was "consonant
16 with the policy of strict construction of federal jurisdiction and the goals underlying the amount-
17 in-controversy requirement, which preserves the jurisdiction of the state courts and limits the
18 diversity caseload of the federal courts." *Id.* (citing *Snyder v. Harris*, 394 U.S. 332, 340 (1969)).
19 In doing so, the Court joined others that have held that only attorney fees incurred at the time of
20 removal should be included in the amount in controversy determination. *See, e.g., Gardynski-*
21 *Leschuck v. Ford Motor Co.*, 142 F.3d 955, 959 (7th Cir. 1998); *Kahlo v. Bank of Am., N.A.*, No.
22 C12-0083-RSM, slip op. at 3 (W.D. Wash. Mar. 28, 2012).

23 In this case, the parties dispute whether the amount in controversy is greater than
24 \$75,000. Skau's complaint seeks compensatory and exemplary damages, as well as attorney fees
25 and costs under applicable state law. (Dkt. No. 1-1 at 12.) Because the complaint does not
26

1 specify the amount of damages sought, JBS has the burden of proving that the amount in
2 controversy is greater than \$75,000.

3 In its notice of removal, JBS calculates Skau's prospective damages as \$53,648.66. (Dkt.
4 No. 1 at 7.) Skau does not dispute this calculation. By declaration, Skau's attorneys assert that
5 they had incurred \$14,085 in fees at the time JBS removed the case from state court. (See Dkt.
6 Nos. 14, 15.) While the total of these figures falls \$7,266.34 short of the \$75,000 amount in
7 controversy threshold, JBS argues that Skau will incur litigation costs far in excess of that
8 shortfall over the life of the lawsuit. (Dkt. No. 1 at 8.) In addition, JBS cites to past class action
9 cases in which Skau's attorneys have been awarded attorney fees that alone eclipsed \$75,000.
10 (*Id.*) As noted above, the Court does not find that an estimate of future attorney fees can be used
11 to satisfy the amount in controversy requirement. Therefore, JBS has failed to prove by a
12 preponderance of the evidence that at the time of removal the amount in controversy was greater
13 than \$75,000. For that reason, Skau's motion to remand is GRANTED.

14 Skau additionally asks the Court to award him attorney fees and costs because "JBS
15 lacked an objectively reasonable basis for removing this case to federal court." (Dkt. No. 13 at
16 12.) Because courts throughout our Circuit have resolved this issue differently, the Court
17 concludes that JBS had an objectively reasonable basis to remove the case. Skau's motion for
18 attorney fees and costs is DENIED.

19 **III. CONCLUSION**

20 For those reasons, Plaintiffs' motion for remand (Dkt. No. 13) is GRANTED in part and
21 DENIED in part. The Clerk is DIRECTED to remand this case to King County Superior Court.

22 DATED this 30th day of November 2017.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE

CLOSED,JURYDEMAND,REMAND

U.S. District Court
United States District Court for the Western District of Washington (Seattle)
CIVIL DOCKET FOR CASE #: 2:17-cv-01499-JCC

Skau v. JBS Carriers, Inc.
Assigned to: U.S. District Judge John C Coughenour
Case in other court: King County Superior Court of
Washington, 17-00002-23242-4 SEA
Cause: 28:1441 Notice of Removal

Date Filed: 10/05/2017
Date Terminated: 11/30/2017
Jury Demand: Defendant
Nature of Suit: 790 Labor: Other
Jurisdiction: Diversity


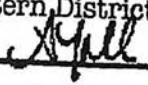
Plaintiff

Kurt Skau
*on behalf of himself and on behalf of
others similarly situated*

represented by **Greg Alan Wolk**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

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LEAD ATTORNEY
ATTORNEY TO BE NOTICED


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Clerk, U.S. District Court
Western District of Washington
By 
Deputy Clerk

Maria Hoisington-Bingham
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206-816-6603
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mhoisington@terrellmarshall.com
ATTORNEY TO BE NOTICED

V.

Defendant

JBS Carriers, Inc.
a Delaware corporation

represented by **Jonathon Watson**
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ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
------------	---	-------------

10/05/2017	<u>1</u>	NOTICE OF REMOVAL from King Count Superior Court, case number 17-2-23242-4 SEA; () Attorney Nathaniel Joseph Wonderly added to party JBS Carriers, Inc. (pty:dft), filed by JBS Carriers, Inc.. (Attachments: # <u>1</u> Exhibit Exh A Complaint, # <u>2</u> Exhibit Exh B-1 Case Schedule, # <u>3</u> Exhibit Exh B-2 Case Information Cover Sheet, # <u>4</u> Exhibit Exh B-3 Summons, # <u>5</u> Exhibit Exh B-4 Affidavit of Service of Summons Complaint and Related Docs, # <u>6</u> Exhibit Exh B-5 Case Assignment & Area Desig, # <u>7</u> Exhibit Exh B-6 Notice of Appear M. Killeen & J. Watson, # <u>8</u> Exhibit Exh B-7 Notice of Appearance for J. Wonderly, # <u>9</u> Exhibit Exh B-8 Stip for Electronic Service, # <u>10</u> Exhibit Exh C Declaration of Taylor - Executed, # <u>11</u> Exhibit Exh D Declaration of McQuade - Executed, # <u>12</u> Exhibit Exh E Time Entries - Helde, # <u>13</u> Exhibit Exh F Time Entries - Wilbur, # <u>14</u> Complaint, # <u>15</u> Civil Cover Sheet, # <u>16</u> Certificate of Service)(Wonderly, Nathaniel) (Receipt # 0981-5043152) Modified on 10/5/2017 (PS). (Entered: 10/05/2017)
10/05/2017	<u>2</u>	VERIFICATION OF STATE COURT RECORDS re <u>1</u> Notice of Removal,,, by Defendant JBS Carriers, Inc. (Attachments: # <u>1</u> Exhibit Exh A, # <u>2</u> Exhibit Exh B-1, # <u>3</u> Exhibit Exh B-2, # <u>4</u> Exhibit Exh B-3, # <u>5</u> Exhibit Exh B-4, # <u>6</u> Exhibit Exh B-5, # <u>7</u> Exhibit Exh B-6, # <u>8</u> Exhibit Exh B-7, # <u>9</u> Exhibit Exh B-8, # <u>10</u> Exhibit Exh C, # <u>11</u> Exhibit Exh D, # <u>12</u> Exhibit Exh E, # <u>13</u> Exhibit Exh F)(Wonderly, Nathaniel) (Entered: 10/05/2017)
10/05/2017	<u>3</u>	CERTIFICATE of Filing Notice of Removal in State Court re <u>1</u> Notice of Removal,,, by Defendant JBS Carriers, Inc. (Wonderly, Nathaniel) (Entered: 10/05/2017)
10/05/2017	<u>4</u>	CORPORATE DISCLOSURE STATEMENT identifying Corporate Parent JBS Carriers, Inc. Swift Brands Company for JBS Carriers, Inc.. Filed pursuant to Fed.R.Civ.P 7.1. Filed by JBS Carriers, Inc. (Wonderly, Nathaniel) Modified on 10/10/2017 to correctly reflect Corporate Parent identified in corporate disclosure statement (KB). (Entered: 10/05/2017)
10/05/2017		NOTICE of Docket Text Modification re <u>4</u> Corporate Disclosure Statement: Modified on 10/10/17 to correctly reflect Corporate Parent identified in corporate disclosure statement. (KB) (Entered: 10/10/2017)
10/06/2017		U.S. District Judge John C Coughenour added. (ST) (Entered: 10/06/2017)
10/06/2017	<u>5</u>	LETTER from Clerk to counsel re receipt of case from King County Superior Court and advising of WAWD case number and judge assignment. (ST) (Entered: 10/06/2017)
10/06/2017		NOTICE TO FILER RE ERRORS UPON CASE OPENING: 1) When filing a Notice of Removal, the attorney or pro se party who filed the case on behalf of the plaintiff must be entered in order to receive notice of filings. In this case, Toby J. Marshall and Hardeep S. Rekhi were not entered by the filer. The docket has been updated. 2) The filer must add all of the attorneys who signed the Notice of Removal. In this case, Michael J. Killeen was not entered as counsel for the plaintiff. The docket has been updated. 3) Pursuant to FRCP Rule 11 and LCR 5(d), signatures must comply with Section III(L) of the Electronic Filing Procedures, which states, "An electronically filed

		pleading or other document which requires an attorney's signature must have the signers name(s) printed or typed on the line and under all signature lines. Attorney N. Joseph Wonderly did not include an original or electronic signature on the Notice of Removal. You do not have to re-file this document, but please be sure that future documents are properly signed according to the court rule. 4) The filer is responsible for entering party text exactly as it appears on the original state court complaint. For example, a <u>Delaware corporation</u> should have been entered as party text for <u>JBS Carriers, Inc.</u> **When opening future cases, please follow the step-by-step instructions on the Attorney's Guide to Opening a Civil Case on the court's website at wawd.uscourts.gov .** (ST) (Entered: 10/06/2017)
10/06/2017		NOTICE TO PLAINTIFF'S COUNSEL: Although attorney Maria Hoisington-Bingham was noted as attorney of record on the original state court complaint, she is not admitted to practice in U.S. District Court, Western District of Washington. Counsel must file an Attorney Admission Petition form and register for ECF. These forms can be found under the Attorneys tab/Attorney Admissions on the courts website at wawd.uscourts.gov . If you have any questions about e-filing, registration or training, please call the ECF Support Desk at 206-370-8440, ext 2. After you have been admitted to practice before this court, please promptly file a Notice of Appearance pursuant to LCR 83.2 to ensure that you are added to the docket in order to receive notice of case filings. Thank you. (cc: Maria Hoisington-Bingham, Ad Hoc) (ST) (Entered: 10/06/2017)
10/06/2017	<u>6</u>	ORDER REGARDING DISCOVERY AND DEPOSITIONS by U.S. District Judge John C. Coughenour. (PP) (Entered: 10/06/2017)
10/06/2017	<u>7</u>	MINUTE ENTRY re: STATUS CONFERENCE. The attorney who will be responsible for trying the case should attend the conference and be prepared to discuss the following matters at the conference: 1. The nature of the case; 2. The status of matters which are presently set before the Court, e.g., hearings, motions, etc.; 3. The status of discovery and a time schedule for its completion; 4. A statement of any legal issues about which motions are contemplated and a possible briefing schedule; 5. An estimate of the number of days needed for trial; 6. Whether the case is jury or non-jury; 7. The date by which the case will be ready for trial; 8. Settlement probabilities; and 9. Whether the parties consent to proceed to trial before an assigned magistrate judge pursuant to 28 U.S.C. 636(c). If counsel's office is outside of the Greater Metropolitan Seattle area, arrangements may be made to participate telephonically in the conference by contacting the Courtroom Deputy Clerk at Paul_Pierson@wawd.uscourts.gov at least TEN (10) days prior to the proceeding. Counsel do NOT need to file a Joint Status Report or Rule 26(f) Report in advance of the Status Conference. Counsel should plan on arriving 10-15 minutes early to check in with the Courtroom Deputy Clerk, as the Court's calendar begins promptly at 9:00 a.m. COUNSEL OR THE PRO SE PARTY WHO FILED THIS MATTER SHALL IMMEDIATELY NOTIFY

		ALL PARTIES OF THE DATE AND TIME OF THE SCHEDULED STATUS CONFERENCE. A Status Conference is set for 1/16/2018 at 9:00 AM in Courtroom 16206 before U.S. District Judge John C. Coughenour. (PP) (Entered: 10/06/2017)
10/09/2017	<u>8</u>	APPLICATION OF ATTORNEY Jonathon Watson FOR LEAVE TO APPEAR PRO HAC VICE for Defendant JBS Carriers, Inc. (Fee Paid) Receipt No. 0981-5045788 (Killeen, Michael) (Entered: 10/09/2017)
10/09/2017	<u>9</u>	MOTION for Extension of Time to File Answer , filed by Defendant JBS Carriers, Inc.. Noting Date 10/10/2017, (Killeen, Michael) (Entered: 10/09/2017)
10/10/2017	<u>10</u>	MINUTE ORDER granting Defendant's <u>9</u> Motion for Extension of Time to Answer ; Defendant shall FILE its responsive pleading no later than 10/27/2017. Authorized by U.S. District Judge John C Coughenour. (SWT) (Entered: 10/10/2017)
10/10/2017	<u>11</u>	ORDER re <u>8</u> Application for Leave to Appear Pro Hac Vice. The Court ADMITS Attorney Jonathan Watson for Defendant JBS Carriers, Inc., by Clerk William M McCool. No document associated with this docket entry, text only. <i>NOTE TO COUNSEL: Local counsel agrees to sign all filings and to be prepared to handle the matter, including the trial thereof, in the event the applicant is unable to be present on any date scheduled by the court, pursuant to LCR 83.1(d).</i> (DS) (Entered: 10/10/2017)
10/16/2017	<u>12</u>	ANSWER to Complaint; with JURY DEMAND by JBS Carriers, Inc.. (Wonderly, Nathaniel) (Entered: 10/16/2017)
11/02/2017	<u>13</u>	MOTION to Remand ; filed by Plaintiff Kurt Skau. (Attachments: # <u>1</u> Proposed Order) Noting Date 11/24/2017, (Marshall, Toby) (Entered: 11/02/2017)
11/02/2017	<u>14</u>	DECLARATION of Toby J. Marshall filed by Plaintiff Kurt Skau re <u>13</u> MOTION to Remand (Attachments: # <u>1</u> Exhibit 1, # <u>2</u> Exhibit 2)(Marshall, Toby) (Entered: 11/02/2017)
11/02/2017	<u>15</u>	DECLARATION of Gregory A. Wolk filed by Plaintiff Kurt Skau re <u>13</u> MOTION to Remand (Marshall, Toby) (Entered: 11/02/2017)
11/07/2017	<u>16</u>	NOTICE of Appearance by attorney Maria Hoisington-Bingham on behalf of Plaintiff Kurt Skau. (Hoisington-Bingham, Maria) (Entered: 11/07/2017)
11/20/2017	<u>17</u>	RESPONSE, by Defendant JBS Carriers, Inc., to <u>13</u> MOTION to Remand . (Wonderly, Nathaniel) (Entered: 11/20/2017)
11/20/2017	<u>18</u>	DECLARATION of Michael McQuade filed by Defendant JBS Carriers, Inc. re <u>13</u> MOTION to Remand (Wonderly, Nathaniel) (Entered: 11/20/2017)
11/20/2017	<u>19</u>	PRAECIPE re <u>18</u> Declaration of Michael McQuade by Defendant JBS

		Carriers, Inc. (Attachments: # <u>1</u> Declaration of Michael McQuade)(Killeen, Michael) (Entered: 11/20/2017)
11/22/2017	<u>20</u>	REPLY, filed by Plaintiff Kurt Skau, TO RESPONSE to <u>13</u> MOTION to Remand (Marshall, Toby) (Entered: 11/22/2017)
11/30/2017	<u>21</u>	<p>ORDER granting in part and denying in part Plaintiffs' <u>13</u> Motion to Remand. The Clerk is DIRECTED to remand this case to King County Superior Court.</p> <p>Per LCR 3(i), case will be remanded 14 days from the date of this Order, on 12/14/2017. Signed by U.S. District Judge John C Coughenour. (TH) (Entered: 11/30/2017)</p>

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
OFFICE OF THE CLERK
AT SEATTLE

WILLIAM M. MCCOOL
CLERK OF COURT
700 STEWART ST.
SEATTLE, WA 98101

December 14, 2017

King County Superior Court
Clerk of the Court
516 – 3RD AVE, E-609
SEATTLE, WA 98104

RE: Skau v. JBS Carriers, Inc.
Case #2:17-cv-01499-JCC

Dear Clerk:

Please find enclosed the certified copy of Judge John C Coughenour's *Order Remanding Case to State Court* in the above-referenced case. A certified copy of the docket sheet is also included.

Please return the copy of this cover letter with the following information:

Superior Court Case Number(s): 17-2-23242-4 SEA

Assigned to Judge: _____

Completed by Deputy Clerk: _____

Thank you in advance for your cooperation and assistance.

Sincerely,

s/Sharita W Tolliver,
Deputy Clerk

Enclosures

Exh. B-12



King County

Department of Judicial Administration

Barbara Miner

Director and Superior Court Clerk

(206) 296-9300 (206) 296-0100 TTY/TDD

FILED

17 DEC 27 PM 2:37

KING COUNTY

SUPERIOR COURT CLERK

E-FILED

CASE NUMBER: 17-2-23242-4 SEA

December 27, 2017

MARSHALL, TOBY JAMES
936 N 34TH ST STE 300
SEATTLE, WA 98103-8869

RE: SKAU v. JBS CARRIERS INC., Cause # 17-2-23242-4 SEA

Dear Mr. Marshall:

On **09-05-2017**, a case was filed with the King County Superior Court and an Order Setting an Original Trial date of **09-04-2018** was issued. This matter was disposed on **10-05-2017** when a Notice of Filing Petition for Removal to US District Court was filed with the clerk. On **12-22-2017**, we received notification that this matter has been returned to our jurisdiction.

This is to advise you that the case schedule with the trial date of **09-04-2018** has been reinstated. This case is assigned to the **Hon. Veronica A. Galvan, Tel. No. 206-477-1453**. Please notify all interested parties of this reinstatement. If due dates become a concern; please motion the court to amend your case schedule.

Please contact Bailiff Annie Johnson @ galvan.court@kingcounty.gov if you have any questions or need additional information.

Sincerely,

E. Nordmark
Deputy Clerk, Caseflow Section

Cc: case file

Seattle:
516 Third Avenue Room E609
Seattle, WA 98104-2386

Regional Justice Center:
401 Fourth Avenue North Room 2C
Kent, WA 98032-4429

Juvenile:
1211 East Alder Room 307
Seattle, WA 98122-5598

Exh. B-13

FILED

18 JAN 25 AM 9:00

KING COUNTY
SUPERIOR COURT CLERK
E-FILED
CASE NUMBER: 17-2-23242-4 SEA

**IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING**

KURT SKAU, on behalf of himself and on behalf of others
similarly situated,

Plaintiff,

vs.

JBS CARRIERS, INC., a Delaware corporation,
Defendant.

CASE NO. 17-2-23242-4 SEA
NOTICE OF COURT DATE (Judges)
(NOTICE FOR HEARING)
SEATTLE COURTHOUSE ONLY
(Clerk's Action Required) (NTHG)

TO: THE CLERK OF THE COURT and to all other parties per list on Page 2:
PLEASE TAKE NOTICE that an issue of law in this case will be heard on the date below and the Clerk is directed to note this issue on the calendar checked below.

Calendar Date: February 2, 2018 **Day of Week:** Friday

Nature of Motion: FOR LIMITED ADMISSION PURSUANT TO APR 8(b) (PRO HAC VICE)

CASES ASSIGNED TO INDIVIDUAL JUDGES – SEATTLE

If oral argument on the motion is allowed (LCR 7(b)(2)), contact staff of assigned judge to schedule date and time before filing this notice. **Working Papers:** The judge's name, date and time of hearing must be noted in the upper right corner of the Judge's copy. **Deliver Judge's copies to Judges' Mailroom at C203**

☒ Without oral argument (Mon - Fri)

☐ With oral argument Hearing

Date/Time: February 2, 2018

Judge's Name: The Honorable Veronica A. Galvan Trial Date: September 4, 2018

CHIEF CRIMINAL DEPARTMENT – SEATTLE (E1201)

☐ Bond Forfeiture 3:15 pm, 2nd Thursday of each month

☐ Extraordinary Writs from criminal or infraction (Show Cause Hearing) LCR 98.40(d) 3:00 p.m. Mon-Thurs.

☐ Certificates of Rehabilitation- Weapon Possession (**Convictions from Limited Jurisdiction Courts**)
3:30 First Tues of each month

CHIEF CIVIL DEPARTMENT – SEATTLE (Please report to W325 courtroom 2 for assignment)

Deliver working copies to Judges' Mailroom, Room C203. In upper right corner of papers write "Chief Civil Department" or judge's name and date of hearing

☐ Extraordinary Writs (Show Cause Hearing) (LCR 98.40) 1:30 p.m. **Thurs/Fri** -report to Room W719

☐ Supplemental Proceedings/ Judicial Subpoenas (1:30 pm **Thurs/Fri**)(LCR 69)

☐ Motions to Consolidate with multiple judges assigned (LCR 40(a)(4) (without oral argument) M-F

☐ Structured Settlements (1:30 pm **Thurs/Fri**)(LCR 40(2)(S))

Non-Assigned Cases:

☐ Non-Dispositive Motions M-F (without oral argument).

☐ Dispositive Motions and Revisions (1:30 pm **Thurs/Fri**).

☐ Certificates of Rehabilitation (**Employment**) 1:30 pm **Thurs/Fri** (LR 40(a)(2)(B))

You may list an address that is not your residential address where you agree to accept legal documents.

Sign: /s/ Michael J. Killeen

Print/Type Name: Michael J. Killeen

WSBA # 7837 (if attorney)

Attorney for: JBS Carriers, INC., Defendant

Address: 1201 Third Ave., Suite 2200

City, State, Zip Seattle, WA 98101

Telephone: (206) 622-3150

Email Address: MikeKilleen@dwt.com

Date: 1/24/2018

DO NOT USE THIS FORM FOR FAMILY LAW OR EX PARTE MOTIONS.

LIST NAMES AND SERVICE ADDRESSES FOR ALL NECESSARY PARTIES REQUIRING NOTICE

Name: Toby J. Marshall, WSBA # 32726
Name: Maria Hoisington-Bingham, WSBA # 51493
Service Address: 936 North 34th Street, Suite 300
City, State, Zip: Seattle, Washington 98103-8869
Atty. For: Kurt Skau, Plaintiff
Telephone #: 206-816-6603
Email: tmarshall@terrellmarshall.com
Email: mhoisington@terrellmarshall.com

Name: Hardeep S. Rekhi, WSBA #34579
Name: Gregory A. Wolk, WSBA #28946
Service Address: 529 Warren Avenue North, Suite 201
City, State, Zip: Seattle, WA 98109
Atty. For: Kurt Skau, Plaintiff
Telephone #: 206-388-5887
Email: tmarshall@terrellmarshall.com
Email: mhoisington@terrellmarshall.com

IMPORTANT NOTICE REGARDING CASES

Party requesting hearing must file motion & affidavits separately along with this notice. List the names, addresses and telephone numbers of all parties requiring notice (including GAL) on this page. Serve a copy of this notice, with motion documents, on all parties.

The original must be filed at the Clerk's Office not less than **six** court days prior to requested hearing date, except for Summary Judgment Motions (to be filed with Clerk 28 days in advance).

THIS IS ONLY A PARTIAL SUMMARY OF THE LOCAL RULES AND ALL PARTIES ARE ADVISED TO CONSULT WITH AN ATTORNEY.

The SEATTLE COURTHOUSE is in Seattle, Washington at 516 Third Avenue. The Clerk's Office is on the sixth floor, room E609. The Judges' Mailroom is Room C203.

Exh. B-14

FILED

18 JAN 25 AM 9:00

The Honorable Veronica A. Galvan
KING COUNTY
Hearing Date: February 2, 2018
SUPERIOR COURT CLERK
Without Oral Argument
FILED

CASE NUMBER: 17-2-23242-4 SEA

IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware
corporation,

Defendant.

No. 17-2-23242-4 SEA

**UNOPPOSED MOTION FOR LIMITED
ADMISSION PURSUANT TO APR 8(b)
(PRO HAC VICE)**

I. RELIEF REQUESTED

The Moving Party, Michael J. Killeen, moves the court for the limited admission of Jonathon Watson and James S. Korte for the purpose of appearing as a lawyer in this proceeding. Plaintiff's counsel has indicated that they do not oppose this motion.

Identity of Moving Party (Washington State Bar Association Member):

Name: Michael J. Killeen
Address: Davis Wright Tremaine LLP
1201 Third Avenue, Suite 2200
Seattle, WA 98101
Phone No. (206) 622-3150

WSBA No 7837

Email: mikekilleen@dwt.com

SUPERIOR COURT
APR 8(b) MOTION
Page 1 of 7

Davis Wright Tremaine LLP
LAW OFFICES
1201 Third Avenue, Suite 2200
Seattle, WA 98101-3045
206.622.3150 main • 206.757.7700 fax

Identities of Applicants for Limited Admission:

Name: Jonathon Watson Bar No. 45203

Jurisdiction of Primary Practice: Colorado

Address: Sherman & Howard L.L.C.
633 Seventeenth Street, Suite 3000
Denver, Colorado 80202

Phone No. (303) 299-8286 Email: jwatson@shermanhoward.com

Name: James S. Korte Bar No. 51196

Jurisdiction of Primary Practice: Colorado

Address: Sherman & Howard L.L.C.
633 Seventeenth Street, Suite 3000
Denver, Colorado 80202

Phone No. (303) 299-8216 Email: JKorte@shermanhoward.com

II. STATEMENT OF THE FACTS

Jonathon Watson was admitted to practice law in Colorado in 2012. He is a resident of Denver, Colorado and maintains a law practice in the State of Colorado. Mr. Watson is a member in good standing of the Colorado State Bar and has read and complied with APR 8(b).

James S. Korte was admitted to practice law in Colorado in 2017. He is a resident of Denver, Colorado and maintains a law practice in the State of Colorado. Mr. Korte is a member in good standing of the Colorado State Bar and has read and complied with APR 8(b).

III. STATEMENT OF THE ISSUE

Should the Applicant for Limited Admission named above be granted limited admission to the practice of law pursuant to APR 8(b) for the purpose of appearing as a lawyer in this proceeding? Answer: Yes.

1 **IV. EVIDENCE RELIED UPON**

2 This motion is based on the accompanying certifications of the Moving Party and the
3 Applicants for Limited Admission.

4 **V. LEGAL AUTHORITY**

5 This motion is made pursuant to Rule 8(b) of the Admission to Practice Rules (APR).

6 **VI. PROPOSED ORDER**

7 A proposed order granting the relief requested accompanies this motion.

8 RESPECTFULLY SUBMITTED this 24th day of January, 2018.

9 **Davis Wright Tremaine LLP**

10 By: /s/ Michael J. Killeen

11 Michael J. Killeen, WSBA # 7837

12 1201 Third Avenue, Suite 2200

13 Seattle, WA 98101-3045

14 Telephone: 206-622-3150

15 Fax: 206-757-7700

16 E-mail: MikeKilleen@dwt.com

CERTIFICATION OF APPLICANT FOR LIMITED ADMISSION

I hereby certify under penalty of perjury under the laws of the State of Washington that:

1. I am a member in good standing of the bar of the state of the United States listed above as my jurisdiction of primary practice.

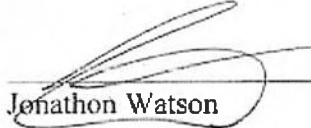
2. I am a resident of and maintain a law practice in that jurisdiction of primary practice.

3. I have read the Rules of Professional Conduct adopted by the Supreme Court of the State of Washington and agree to abide by them.

4. I have complied with all of the requirements of APR 8(b).

5. I have read the foregoing motion and certification and the statements contained in it are full, true and correct.

Signed on January 22, 2018 at Denver, Colorado.


Jonathon Watson

CERTIFICATION OF APPLICANT FOR LIMITED ADMISSION

I hereby certify under penalty of perjury under the laws of the State of Washington that:

1. I am a member in good standing of the bar of the state of the United States listed above as my jurisdiction of primary practice.

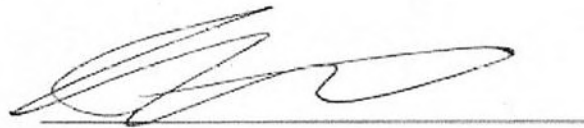
2. I am a resident of and maintain a law practice in that jurisdiction of primary practice.

3. I have read the Rules of Professional Conduct adopted by the Supreme Court of the State of Washington and agree to abide by them.

4. I have complied with all of the requirements of APR 8(b).

5. I have read the foregoing motion and certification and the statements contained in it are full, true and correct.

Signed January 22, 2018 at Denver, Colorado.



James S. Korte

CERTIFICATION OF MOVING PARTY/WSBA MEMBER

I hereby certify under penalty of perjury under the laws of the State of Washington that:

1. I am an active member in good standing of the Washington State Bar Association.
2. I will be the lawyer of record in this proceeding, responsible for the conduct of the applicant, and present at proceedings in this matter unless excused by the court.
3. I have submitted a copy of this motion together with the required fee of \$830 to the Washington State Bar Association, 1325 4th Ave., Ste. 600, Seattle, WA 98101-2539.
4. I have complied with all of the requirements of APR 8(b).
5. I have read the foregoing motion and certification and the statements contained in it are full, true and correct.

Signed on January 24, 2018 at Seattle, Washington.

By: /s/ Michael J. Killeen

Michael J. Killeen, WSBA # 7837
1201 Third Avenue, Suite 2200
Seattle, WA 98101-3045
Telephone: 206-622-3150
Fax: 206-757-7700
E-mail: MikeKilleen@dwt.com

CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington and the United States that, on the date indicated below, I electronically filed the foregoing document with the Clerk of the Court using the ECF system and will provide a copy of such filing to the following per our electronic agreement:

Via Email

TERRELL MARSHALL LAW GROUP LLC
Toby J. Marshall, WSBA # 32726
Email: tmarshall@terrellmarshall.com
Maria Hoisington-Bingham, WSBA # 51493
Email: mhoisington@terrellmarshall.com
936 North 34th Street, Suite 300
Seattle, Washington 98103-8869
Telephone: 206-816-6603
Facsimile: 206-319-5450

REKHI & WOLK, P.S.
Hardeep S. Rekhi, WSBA #34579
Email: Hardeep@rekhiwolk.com
Gregory A. Wolk, WSBA #28946
Email: greg@rekhiwolk.com
529 Warren Avenue North, Suite 201
Seattle, WA 98109
Telephone: (206) 388-5887
Facsimile: (206) 577-3924

DATED this 24th day of January 2018.

/s/ Daniela Najera
Daniela Najera, Legal Secretary

The Honorable Veronica A. Galvan
Hearing Date: February 2, 2018
Without Oral Argument

IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware
corporation,

Defendant.

No. 17-2-23242-4 SEA

**[PROPOSED] ORDER GRANTING
MOTION FOR LIMITED ADMISSION
PURSUANT TO APR 8(b)
(*PRO HAC VICE*)**

It is hereby ORDERED that Jonathon Watson and James S. Korte, Applicants for Limited Admission pursuant to APR 8(b) are admitted, *pro hac vice*, to practice as lawyers in this proceeding. The Moving Party, Michael J. Killeen of Davis Wright Tremaine, LLP, will be the lawyer of record in this case, will be responsible for the conduct of Jonathon Watson and James S. Korte and he will be present at proceedings in this matter unless excused by the Court.

///

///

///

[PROPOSED] ORDER GRANTING
APR 8(b) MOTION
Page 1 of 2

Davis Wright Tremaine LLP
LAW OFFICES
1201 Third Avenue, Suite 2200
Seattle, WA 98101-3045
206.622.3150 main • 206.757.7700 fax

1 IT IS SO ORDERED.

2 Dated _____.

3
4 The Honorable Veronica A. Galvan

5
6 Presented by:

7 Davis Wright Tremaine LLP
8 Attorneys for JBS CARRIERS, INC.

9 By: /s/ Michael J. Killeen

10 Michael J. Killeen, WSBA # 7837
11 1201 Third Avenue, Suite 2200
12 Seattle, WA 98101-3045
13 Telephone: 206-622-3150
14 Fax: 206-757-7700
15 E-mail: MikeKilleen@dwt.com

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24 [PROPOSED] ORDER GRANTING
APR 8(b) MOTION
Page 2 of 2

Davis Wright Tremaine LLP
LAW OFFICES
1201 Third Avenue, Suite 2200
Seattle, WA 98101-3045
206.622.3150 main • 206.757.7700 fax

Exh. B-15



THE HONORABLE VERONICA A. GALVAN
Department 21

SUPERIOR COURT CLERK
BY Tara Shoemaker
DEPUTY

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO. 17-2-23242-4 SEA

PROTECTIVE ORDER

Pursuant to CR 26(c), the Court hereby enters the following Protective Order.

A. Purpose and Limitations.

Discovery in this action is likely to involve production of confidential, proprietary, or private information for which special protection may be warranted. Accordingly, the parties stipulate to and enter into the following agreement regarding discovery, which the parties respectfully ask the Court to enter as a Stipulated Protective Order ("Protective Order").¹

The parties acknowledge that this agreement is consistent with Civil Rule 26(c) and Local Civil Rule 26(c). It does not confer blanket protection on all disclosures or responses to discovery, the protection it affords from public disclosure and use extends only to the limited information or items that are entitled to confidential treatment under the applicable legal

¹ This agreement will be binding on the parties upon signing.

1 principles, and it does not presumptively entitle parties to file confidential information under
2 seal.

3 **B. Scope of Protective Order**

4 1. This Protective Order shall govern the use and disclosure of certain sensitive and
5 confidential information designated in good faith by a party to this litigation as being
6 "Confidential," as set forth below, and which is contained in (a) any documents, written
7 discovery responses, or tangible evidence produced in this litigation by means of discovery and
8 (b) any testimony or transcripts of depositions taken in this action. This Protective Order
9 establishes a procedure for the expeditious handling of such Confidential information; it shall not
10 be construed as creating any presumption on the confidentiality of any document.

11 2. The attorneys of record, and all others to whom any such designated Confidential
12 information and material is disclosed, shall maintain such designated Confidential information
13 and material in strict confidence, shall not disclose such designated Confidential information and
14 material except in accordance with this Protective Order, and shall use such designated
15 Confidential information and material solely for this litigation. All produced Confidential
16 information and material shall be carefully maintained in secure facilities (such as law firm
17 offices), and access to such Confidential information and material shall be permitted only to
18 persons properly having access thereto under the terms of this Protective Order.

19 **C. Confidential Matter**

20 3. The party claiming that documents, written discovery responses, or tangible
21 evidence constitute or include Confidential information or material (the "Designating Party")
22 shall mark those portions of the material considered in good faith to be confidential (in such
23 manner as will not interfere with the legibility thereof) with the legend: "Confidential."
24 Deposition testimony may be designated as "Confidential" by invoking this Protective Order on
25 the record with respect to specific designated testimony, or by using the procedure described in
26 Paragraph 5 of this section.
27

1 4. By designating materials as Confidential, the Designating Party and its counsel
 2 represent that they have a good faith belief that the materials so designated contain sensitive,
 3 non-public, confidential information, including but not limited to, (a) medical records, (b)
 4 employee personnel records; (c) payroll and salary information, (d) financial or business
 5 information not subject to public disclosure, and (e) sensitive business information, including but
 6 not limited to, Company competitive strategic initiatives and policies, as well as client
 7 identifying information, and client billing, fees, and costs.

8 5. If depositions are conducted which involve Confidential information, each party
 9 shall have until ten (10) days after receipt of the deposition transcript within which to provide
 10 written notice to the other party of the portions of the transcript (by specific page and line
 11 reference) to be designated Confidential. Prior to the expiration of the ten (10) day period, the
 12 entire deposition transcript shall be treated as Confidential information. The Designating Party
 13 shall be responsible for assuring that those portions of the deposition transcript and exhibits
 14 designated Confidential are appropriately bound by the reporter.

15 6. Confidential information or material may be disclosed only to the following
 16 persons:

17 6.1. Authors, originators, or original recipients of the Confidential information
 18 or material.

19 6.2. The parties to this action.

20 6.3. Employees, officers and directors of a party to this action, to the extent
 21 that such employees, officers and directors have a need to know the Confidential information for
 22 the conduct of this litigation.

23 6.4. The attorneys of record in this litigation and employees or contract
 24 personnel retained by such attorneys' offices (such as secretaries, legal assistants, and document
 25 copying, coding, or imaging services) to whom it is necessary to disclose such information or
 26 material in furtherance of the prosecution or defense of this action, any insurance representative
 27 to whom it is necessary to disclose such information or material, and any mediator selected to

1 mediate this matter; provided, however, that the attorneys of record utilizing such personnel shall
2 be responsible to ensure compliance with this Order with respect to all such contract personnel
3 and third party vendors.

4 6.5. The Court and its personnel, as necessary in support of motions, pleadings
5 and other court papers and proceedings.

6 6.6. Court reporters and their assistants, to the extent reasonably necessary for
7 the reporting of depositions and hearings.

8 6.7. Non-party witnesses who, prior to receiving Confidential information,
9 have received a copy of this Protective Order and signed an agreement (in substantially the form
10 presented in Exhibit A hereto) to be bound by its terms and to refrain from redistributing all such
11 information. Such lay witnesses shall have access to Confidential information only if the
12 disclosing party has a good faith belief disclosure is necessary and the disclosure is only for
13 purposes limited to participation in this litigation (i.e., testimony, deposition preparation,
14 interviews yielding affidavits or declarations, etc.). Such witness may not retain any
15 "Confidential" material. However, Plaintiff and his attorneys and representatives shall not share
16 Confidential information specific to one putative class member or named Plaintiff with another
17 putative class member or named Plaintiff.

18 6.8. Experts retained by an attorney to whom disclosure may be made pursuant
19 to Paragraph 6.4, but only to the extent that the expert, prior to receiving any Confidential
20 information or material, has received a copy of this Protective Order and signed an agreement (in
21 substantially the form presented in Exhibit A hereto) to be bound by its terms and to refrain from
22 redistributing all such information. Such experts shall have access to Confidential information
23 only if the disclosing party has a good faith belief disclosure is necessary and the disclosure is
24 only for purposes limited to participation in this litigation. Such experts may not retain any
25 "Confidential" material.

26 7. If a Designating Party files Confidential information or material, not under seal
27 and without redaction, its designation shall be deemed abandoned. Nothing in this Protective

1 Order precludes either party from seeking a supplemental agreement or protective order
 2 imposing additional protections for specific documents that present special or unique
 3 confidentially concerns.

4 **D. Production of Redacted Documents - Redactions Required by GR 31**

5 8. When any party is producing documents to another party, the producing party
 6 shall have the option to redact information identified in GR 31, which provides in pertinent part:

7 9. Personal Identifiers Omitted or Redacted from Court Records

8 9.1 Except as otherwise provided in GR 22, parties shall not include, and if
 9 present shall redact, the following personal identifiers from all documents
 10 filed with the court, whether filed electronically or in paper, unless
 11 necessary or otherwise ordered by the Court.

12 (a) Social Security Numbers. If the Social Security Number of an
 13 individual must be included in a document, only the last four digits
 14 of that number shall be used.

15 (b) Financial Account Numbers. If financial account numbers are
 16 relevant, only the last four digits shall be recited in the document.

17 (c) Driver's License Numbers.

18 **E. Filing Protected Materials with the Court**

19 10. Before filing material designated Confidential in Court or discussing or
 20 referencing such material in Court filings, the party seeking to file protected materials with the
 21 Court ("Filing Party") party shall confer with the Designating Party to determine whether the
 22 Designating Party will remove the Confidential designation, whether the document can be
 23 redacted, or whether a motion to seal or stipulation and proposed order is necessary. If the Filing
 24 Party and the Designating Party cannot reach agreement about the filing of or reference to
 25 material designated confidential, the Filing Party shall move to seal such materials, by separate
 26 motion or stipulated motion, noted for hearing and filed (and provided to the Court) pursuant to
 27 LCR 7 and LGR 15(E). The Filing Party shall provide to the hearing judge the original

1 unredacted copy of the document(s) that party seeks to file, for in camera review, in the manner
2 specified in LGR 15(c)(2)(E)(i)(a).

3 11. The burden is on the Designating Party (the true movant) to provide the needed
4 information, and, if appropriate, a proposed redacted copy of the subject document(s) to the
5 Court, so that the Court can determine whether all, a portion, or none of the document may be
6 filed under seal, as well as a proposed order granting the motion to seal with specific proposed
7 findings setting forth the basis for sealing the Confidential information or material, pursuant to
8 LGR 15(c)(2)(E)(i)(b-c). This shall be done within five (5) court days of the filing of the motion
9 and submission to the hearing judge of the original unredacted copy of the document(s) by the
10 Filing Party. Unless the Filing Party is also the Designating Party, the Filing Party is not the true
11 movant, and need not submit to the hearing judge a proposed unredacted copy of the subject
12 document(s) nor a proposed order granting the motion to seal.

13 12. In the event this case goes to trial, upon receipt of the witness and exhibit list, the
14 parties will meet and confer in an effort to reach agreement on the appropriate handling of trial
15 exhibits that contain Confidential information. If the Designating Party seeks to have
16 Confidential information sealed at trial, the Designating Party shall file a motion no later than 10
17 days before trial to have such documents treated as "under seal."

18 **F. Confidentiality Challenge**

19 13. If, at any time, a party disagrees with the Confidential designation of any
20 document or information, it shall so notify the Designating Party in writing and provide the
21 Designating Party ten (10) calendar days in which to consider the challenge. The parties agree
22 that, during that period, they will make a good faith effort to resolve any disputes concerning the
23 treatment of Confidential information or material. If the matter has not been resolved, the
24 Designating Party must move for such protection under Rule 26(c), or the designation shall be
25 deemed abandoned.
26
27

G. Inadvertent Failure to Designate Under Protective Order.

14. Any party who inadvertently fails to designate Confidential information shall have 14 days from the discovery of its oversight to correct its failure. Such failure shall be corrected by providing written notice of the inadvertent failure to designate and shall include substituted copies of the inadvertently unmarked documents. Any party receiving notice of such inadvertently unmarked documents shall immediately make prompt, reasonable efforts to retrieve documents distributed to persons not entitled to receive documents with the corrected designation and destroy documents constituting or containing such information or return them to the producing party, at the receiving party's election.

H. No Waiver of Privilege

15. If a party inadvertently produces documents that are privileged, including but not limited to documents protected by the attorney-client privilege, work product doctrine, or mediation privilege (together, all inadvertently produced documents shall be a "Privileged Document"), pursuant to ER 502(b) inadvertent production of a Privileged Document shall not be deemed a waiver of any applicable privilege. Upon discovery that a Privileged Document has been produced, the producing party shall promptly notify counsel for the other party who shall promptly return the Privileged Document and all copies of the Privileged Document. If a party contends that a Privileged Document has been erroneously designated as such or that the privilege has been waived for reason(s) other than inadvertent production, the party will nevertheless return the Privileged Document and all copies of the Privileged Document to the party asserting the privilege. The parties reserve the right to contest any determination that a document is privileged or is otherwise protected from disclosure.

I. Termination

16. After the termination of this action, this Protective Order shall continue to be binding upon the parties hereto and upon all persons to whom Confidential information or materials have been disclosed or communicated. The confidentiality obligations imposed by this

1 Protective Order shall remain in effect until a designating party agrees otherwise in writing or a
2 court orders otherwise.

3 **J. Modification**

4 17. This Order may be modified in the event that the parties agree in writing to a
5 modification of the provisions and such modification is approved by this Court, or upon either
6 party's application to the Court for modification. No party shall be prejudiced by being bound
7 by this Order.

8 **K. Remedies**

9 18. The parties expressly acknowledge and agree that all remedies under CR 37 will
10 be available to the Court, in its discretion, to sanction any violation of this Order.

11 **L. Retention of Jurisdiction**

12 19. The parties and any other person subject to the terms of this Order agree that this
13 Court has and retains jurisdiction during this action to resolve matters relating to this Order.

14 DATED this 25 day of January, 2018.

15
16 
17 HONORABLE VERONICA A. GALVAN
18 KING COUNTY SUPERIOR COURT JUDGE
19
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24
25
26
27

1 Presented by:

2 DAVIS WRIGHT TREMAINE LLP

3 By: /s/ Michael J. Killeen

4 Michael J. Killeen, WSBA # 7837

5 Email: mikekilleen@dwt.com

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10 SHERMAN & HOWARD LLC

11 By: /s/ Jonathon Watson

12 Jonathon Watson (*Pro Hac Vice Motion Pending*)

13 Email: JWatson@shermanhoward.com

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15 Denver, Colorado 80202

16 Telephone: (303) 299-8286

17 Facsimile: (303) 298-0940

18 *Attorneys for Defendant JBS Carriers, Inc.*

19 TERRELL MARSHALL LAW GROUP PLLC

20 By: /s/ Toby J. Marshall

21 Toby J. Marshall, WSBA #32726

22 Email: tmarshall@terrellmarshall.com

23 Maria Hoisington-Bingham, WSBA #51493

24 Email: mhoisington@terrellmarshall.com

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Telephone: (206) 388-5887

Attorneys for Plaintiff

EXHIBIT A

AGREEMENT TO BE BOUND BY PROTECTIVE ORDER

I, _____, hereby acknowledge that I have received a copy of the Protective Order entered in the matter of [Case Name] in King County Superior Court, No. _____. I have read and agree to be bound by all of the provisions of the Protective Order. I agree (a) not to divulge any Confidential information or materials to any other person; and (b) not to use any Confidential information or materials for any purpose other than this litigation. In addition, I consent to the jurisdiction and contempt power of King County Superior Court with respect to the enforcement of the Protective Order.

DATED this _____ day of _____, 2018.

Signature

Print Name

CERTIFICATE OF SERVICE

I hereby declare under penalty of perjury under the laws of the State of Washington and the United States that, on the date indicated below, I electronically filed the foregoing document with the Clerk of the Court using the ECF system and will provide a copy of such filing to the following per our electronic agreement:

Via Email

TERRELL MARSHALL LAW GROUP LLC

Toby J. Marshall, WSBA # 32726

Email: tmarshall@terrellmarshall.com

Maria Hoisington-Bingham, WSBA # 51493

Email: mhoisington@terrellmarshall.com

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529 Warren Avenue North, Suite 201

Seattle, WA 98109

Telephone: (206) 388-5887

Facsimile: (206) 577-3924

DATED this 25th day of January 2018.

/s/ Daniela Najera

Daniela Najera, Legal Secretary

Exh. B-16

The Honorable Veronica A. Galvan
Hearing Date: February 2, 2018
Without Oral Argument

FILED
KING COUNTY, WASHINGTON

FEB -8 2018

SUPERIOR COURT CLERK
BY Tara Shoemaker
DEPUTY

**IN THE SUPERIOR COURT OF WASHINGTON
IN AND FOR KING COUNTY**

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware
corporation,

Defendant.

No. 17-2-23242-4 SEA

**ORDER GRANTING MOTION FOR
LIMITED ADMISSION PURSUANT TO
APR 8(b)
(PRO HAC VICE)**

It is hereby ORDERED that Jonathon Watson and James S. Korte, Applicants for
Limited Admission pursuant to APR 8(b) are admitted, *pro hac vice*, to practice as lawyers
in this proceeding. The Moving Party, Michael J. Killeen of Davis Wright Tremaine,
LLP, will be the lawyer of record in this case, will be responsible for the conduct of
Jonathon Watson and James S. Korte and he will be present at proceedings in this matter
unless excused by the Court.

///

///

///

[PROPOSED] ORDER GRANTING
APR 8(b) MOTION
Page 1 of 2

Davis Wright Tremaine LLP
LAW OFFICES
1201 Third Avenue, Suite 2200
Seattle, WA 98101-3045
206.622.3150 main · 206.757.7700 fax

1 IT IS SO ORDERED.

2 Dated 2-8-18.

3
4 
The Honorable Veronica A. Galvan

5
6 Presented by:

7 Davis Wright Tremaine LLP
Attorneys for JBS CARRIERS, INC.

8
9 By: /s/ Michael J. Killeen

10 Michael J. Killeen, WSBA # 7837
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24 [PROPOSED] ORDER GRANTING
APR 8(b) MOTION
Page 2 of 2

Davis Wright Tremaine LLP
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Seattle, WA 98101-3045
206.622.3150 main • 206.757.7700 fax

Exh. B-17

THE HONORABLE VERONICA A. GALVAN
Department 21

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO. 17-2-23242-4 SEA

**CONFIRMATION OF JOINDER OF PARTIES,
CLAIMS, AND DEFENSES**

(CF) (Clerk's Action Required)

- I. ☒ The Plaintiff/petitioner makes the following representations:
1. This case is not subject to mandatory arbitration.
[If it is, this report should not be filed; instead, no later than the deadline for filing this report, a statement of arbitrability should be filed, pursuant to LMAR 2.1(a).]
 2. All parties have been served or have waived service.
 3. All mandatory pleadings have been filed.
- II. ☐ Plaintiff(s)/petitioner(s) do not make the foregoing representations because if appropriate, check both the box at left and every applicable box below. The Court may set a hearing.
- ☐ This case is subject to mandatory arbitration, but not ready yet for the Statement of Arbitrability to be filed.
- ☐ A party remains to be served.
- ☐ A mandatory pleading remains to be filed.
- ☐ Other explanation:

1
2 RESPECTFULLY SUBMITTED AND DATED this 13th day of February, 2018.

3 TERRELL MARSHALL LAW GROUP PLLC
4

5 By: /s/ Toby J. Marshall, WSBA #32726

6 Toby J. Marshall, WSBA #32726

7 Email: tmarshall@terrellmarshall.com

8 Maria Hoisington-Bingham, WSBA #51493

9 Email: mhoisington@terrellmarshall.com

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13 Facsimile: (206) 319-5450

14 REKHI & WOLK, P.S.

15 Hardeep S. Rekhi, WSBA #34579

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17 Gregory A. Wolk, WSBA #28946

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19 529 Warren Avenue North, Suite 201

20 Seattle, Washington 98109

21 Telephone: (206) 388-5887

22 Facsimile: (206) 577-3924

23 *Attorneys for Plaintiff*
24
25
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27

CERTIFICATE OF SERVICE

I hereby certify under penalty of perjury under the laws of the State of Washington that on this date I caused to be served the foregoing Confirmation of Joinder on the following parties, in the manner indicated:

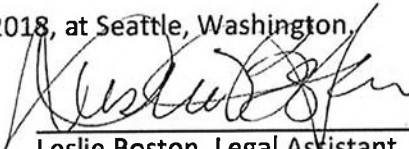
Michael J. Killeen, WSBA #7837
Email: mikedilleen@dwt.com
N. Joe Wonderly, WSBA #51925
Email: joewonderly@dwt.com
Email: cindylein@dwt.com
Email: lindseystrickland@dwt.com
DAVIS WRIGHT TREMAINE LLP
1201 Third Ave, Suite 2200
Seattle, Washington 98101
Telephone: (206) 622-3150
Facsimile: (206) 757-7700

- ☐ U.S. Mail, postage prepaid
- ☐ Hand Delivered via Messenger Service
- ☐ Overnight Courier
- ☐ Facsimile
- ☒ Electronic Mail
- ☒ Via the King County Electronic Filing Notification System

Jonathon Watson
Email: jwatson@shermanhoward.com
Email: jkorte@shermanhoward.com
Email: kedinger@shermanhoward.com
Email: lhowell@shermmandhoward.com
SHERMAN & HOWARD LLC
633 Seventeenth Street, Suite 3000
Denver, CO 80202
Telephone: (303) 299-8286
Facsimile: (303) 298-0940

Attorneys for Defendant

DATED this 13th day of February, 2018, at Seattle, Washington.



Leslie Boston, Legal Assistant

Exh. B-18

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FILED
KING COUNTY, WASHINGTON

APR 23 2018

DEPARTMENT OF
JUDICIAL ADMINISTRATION

THE HONORABLE VERONICA A. GALVAN
Department 21

SUPERIOR COURT FOR THE STATE OF WASHINGTON
IN AND FOR KING COUNTY

KURT SKAU, on behalf of himself and on behalf
of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

NO. 17-2-23242-4 SEA

**STIPULATION AND [PROPOSED] ORDER
AMENDING CASE SCHEDULE**

(Clerk's Action Required)

Plaintiff Kurt Skau and Defendant JBS Carriers, Inc., by and through their respective
counsel, stipulate and jointly move the Court to enter an amended case schedule as set forth
below:

WHEREAS Plaintiff filed this Class Action lawsuit on September 5, 2017;

WHEREAS Defendant removed this lawsuit from this Court on October 5, 2017;

WHEREAS the federal district court remanded this lawsuit to this Court on December 14,
2017;

WHEREAS the Court reinstated the original case schedule with a trial date of September
4, 2018;

WHEREAS the parties are working together to produce and review discovery;

WHEREAS the parties jointly moved the Court to enter a briefing schedule on Plaintiff's
Motion for Class Certification and stay all other case scheduling deadlines on March 30, 2018;

STIPULATION AND [PROPOSED] ORDER AMENDING CASE
SCHEDULE - 1
CASE No. 17-2-23242-4 SEA

TERRELL MARSHALL LAW GROUP PLLC
936 North 34th Street, Suite 300
Seattle, Washington 98103-8869
TEL. 206.816.6603 • FAX 206.319.5450
www.terrellmarshall.com

WHEREAS on April 2, 2018 the Court declined to enter the parties' joint briefing schedule and stated it would entertain a motion to continue the trial date to a mutually agreeable date; and

WHEREAS the parties agree to the amended case schedule below.

I. STIPULATION

The parties agree that good cause exists to enter the following amended case schedule:

CASE EVENTS	NEW DATE
DEADLINE for Disclosure of Possible Primary Witnesses [See KCLCR 26(k)]	June 15, 2018
DEADLINE for Plaintiff's Motion for Class Certification	September 21, 2018
DEADLINE for Defendant's Response to Plaintiff's Motion for Class Certification	October 31, 2018
DEADLINE for Plaintiff's Reply in Support of Motion for Class Certification	November 19, 2018
DEADLINE for Disclosure of Possible Additional Witnesses [KCLCR 26(k)]	January 28, 2019
DEADLINE for Jury Demand [See KCLCR 38(b)(2)]	February 4, 2019
DEADLINE for Change in Trial Date [See KCLCR 40(e)(2)]	February 4, 2019
DEADLINE for Discovery Cutoff [See KCLCR 37(g)]	May 3, 2019
DEADLINE for Engaging in Alternative Dispute Resolution [See KCLCR 16(b)]	July 15, 2019
DEADLINE to Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLCR 4(j)]	August 26, 2019
DEADLINE to file Joint Confirmation of Trial Readiness [See KCLCR 16(a)(1)]	August 26, 2019

STIPULATION AND [PROPOSED] ORDER AMENDING CASE
SCHEDULE - 2
CASE NO. 17-2-23242-4 SEA

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CASE EVENTS	NEW DATE
DEADLINE for Hearing Dispositive Pretrial Motions [See KCLCR 56; CR 56]	June 28, 2019
Joint Statement of Evidence [See KCLCR 4(k)]	September 9, 2019
DEADLINE for filing Trial Briefs, Proposed Findings of Fact and Conclusions of Law and Jury Instructions (Do not file proposed Findings of Fact and Conclusions of Law with the Clerk)	September 9, 2019
Trial Date [See KCLCR 40]	September 16, 2019

STIPULATED TO, DATED AND RESPECTFULLY SUBMITTED this 16th day of April, 2018.

TERRELL MARSHALL LAW GROUP PLLC

DAVIS WRIGHT TREMAINE LLP

By: /s/ Toby J. Marshall, WSBA #32726

By: /s/ Michael J. Killeen, WSBA #7837

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Attorneys for Plaintiff

Attorneys for Defendant

STIPULATION AND [PROPOSED] ORDER AMENDING CASE
SCHEDULE - 3
CASE NO. 17-2-23242-4 SEA

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1 **II. [PROPOSED] ORDER**

2 IT IS HEREBY ORDERED THAT the case management schedule is hereby set. The trial
3 date is reset, and the case schedule shall be as follows:

4

CASE EVENTS	NEW DATE
DEADLINE for Disclosure of Possible Primary Witnesses [See KCLCR 26(k)]	June 15, 2018
DEADLINE for Plaintiff's Motion for Class Certification	September 21, 2018
DEADLINE for Defendant's Response to Plaintiff's Motion for Class Certification	October 31, 2018
DEADLINE for Plaintiff's Reply in Support of Motion for Class Certification	November 19, 2018
DEADLINE for Disclosure of Possible Additional Witnesses [KCLCR 26(k)]	January 28, 2019
DEADLINE for Jury Demand [See KCLCR 38(b)(2)]	February 4, 2019
DEADLINE for Change in Trial Date [See KCLCR 40(e)(2)]	February 4, 2019
DEADLINE for Discovery Cutoff [See KCLCR 37(g)]	May 3, 2019
DEADLINE for Engaging in Alternative Dispute Resolution [See KCLCR 16(b)]	July 15, 2019
DEADLINE to Exchange Witness & Exhibit Lists & Documentary Exhibits [See KCLCR 4(j)]	August 26, 2019
DEADLINE to file Joint Confirmation of Trial Readiness [See KCLCR 16(a)(1)]	August 26, 2019
DEADLINE for Hearing Dispositive Pretrial Motions [See KCLCR 56; CR 56]	June 28, 2019
Joint Statement of Evidence [See KCLCR 4(k)]	September 9, 2019

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STIPULATION AND [PROPOSED] ORDER AMENDING CASE
SCHEDULE - 4
CASE NO. 17-2-23242-4 SEA

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CASE EVENTS	NEW DATE
DEADLINE for filing Trial Briefs, Proposed Findings of Fact and Conclusions of Law and Jury Instructions (Do not file proposed Findings of Fact and Conclusions of Law with the Clerk)	September 9, 2019
Trial Date [See KCLCR 40]	September 10, 2019

IT IS SO ORDERED.

DATED this 23 day of April, 2018.


JUDGE/COURT COMMISSIONER

Presented by:

TERRELL MARSHALL LAW GROUP PLLC

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Attorneys for Plaintiff

STIPULATION AND [PROPOSED] ORDER AMENDING CASE

SCHEDULE - 5

CASE No. 17-2-23242-4 SEA

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26 *Attorneys for Defendant*

27
STIPULATION AND [PROPOSED] ORDER AMENDING CASE
SCHEDULE - 6

CASE No. 17-2-23242-4 SEA

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Exhibit C

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

No.

DECLARATION OF DARRIN
TAYLOR IN SUPPORT OF
DEFENDANT JBS CARRIERS,
INC'S NOTICE OF REMOVAL

I, Darrin Taylor, declare:

1. I am the Director of Sales & Regional Operations for Defendant, JBS Carriers, Inc. ("JBS Carriers"). As Director of Sales & Regional Operations and in preparation for this declaration, I reviewed Mr. Skau's settlement sheets, paycheck stubs, and his available Hours of Service Logs ("HOS Logs"). I have personal knowledge of the facts stated herein and if called to testify thereto could do so competently.

2. This declaration sets forth information I have compiled from other corporate departments located here in Greeley, Colorado. This information is maintained in the ordinary course of business, was prepared at or near the time of events or matters described therein, and records such data accurately. I have access, either directly or indirectly, to these business and corporate records in the ordinary course of business, and I periodically refer to them.

3. JBS Carriers employs over the road truck drivers who transport product from production facilities to customers throughout the United States. Much of the product transported is animal proteins and agricultural products produced by a related entity, JBS USA Food Company ("JBS"). JBS Carriers is headquartered in Greeley, Colorado and does not have any offices or terminals in Washington. The majority of JBS Carriers' administrative functions

DECLARATION OF DARRIN TAYLOR IN SUPPORT
OF DEFENDANT JBS CARRIERS, INC.'S NOTICE OF
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(including that of legal, payroll, human resources, operation, and planning) are conducted in Greeley, Colorado. Greeley, Colorado is where the actual center of direction, control, and coordination for JBS Carriers takes place. JBS Carriers' principal place of business is in Colorado.

4. Plaintiff Kurt Skau was a resident of Washington during his employment with JBS Carriers, and I do not have any reason to believe Plaintiff is no longer a resident of Washington. Plaintiff was employed by JBS Carriers from November 9, 2015 until May 5, 2017.

5. Drivers at JBS Carriers are paid on a per-trip basis, determined by factors including the length of the haul, and the driver's base per-mile rate, which varies depending on the level of experience and the length of the trip.

6. Pursuant to Department of Transportation ("DOT") regulations, JBS Carriers maintains a detailed HOS Log for rolling six month periods. The HOS Log is an electronic record of drivers' daily activities, as recorded into four primary categories; (1) off duty, (2) sleeper birth; (3) driving; and (4) on duty, not driving. The HOS Log is a requirement of DOT regulations.

7. Mr. Skau filed his Complaint on September 5, 2017, and given a reasonable amount of time after service occurred, JBS Carriers stopped the six month period from continuing to roll. Therefore, the most accurate records of Mr. Skau's hours of service date from March 26, 2017 to May 1, 2017 (Mr. Skau's last day of driving).

8. By analyzing JBS Carriers' records, I calculate Mr. Skau earned an average hourly rate of approximately \$25.81 per hour. I calculated this number based on the five weeks of Mr. Skau's available HOS Log (from March 26, 2017 until May, 1 2017), excluding one week in which Mr. Skau did not work. Based on this data, I divided the total gross pay for the same time period (\$5,047.37) by the total number of hours that Mr. Skau worked (195.53

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1 hours). Dividing \$5,047.37 by 195.53 hours equals approximately \$25.81, which is a
2 reasonable estimate of Mr. Skau's hourly pay.

3 9. By analyzing Plaintiff's HOS Log, I calculate that Mr. Skau spent
4 approximately three hours per week working, but not driving. This number was calculated by
5 reviewing the HOS Log data from the five week period, and excluding the week Mr. Skau did
6 not work. As noted above, the HOS Log indicates how much time Plaintiff spent driving and
7 also working, but not driving. Using the HOS Log, I first totaled all of the time Mr. Skau spent
8 working, but not driving, which amounted to 13.02 hours, or 781.2 minutes. I then divided that
9 number by the days Mr. Skau worked in the period (30), which equals approximately 26.04
10 minutes per day of on duty, not driving time. Next, I multiplied the average minutes per day of
11 on duty, not driving time (26.04) by seven days to get the weekly average (182.28 minutes).
12 Based on the above calculations, I determined that Mr. Skau spent an average of three hours per
13 week working, but not driving (182.28 minutes divided by 60 minutes per hour).

14 10. Also by analyzing Mr. Skau's HOS Log, I calculate that Mr. Skau worked an
15 average of 49 hours per week. (This number combines the time Mr. Skau spent driving and the
16 time spent working, but not driving.) I calculated this number by analyzing the available HOS
17 Log data from the five week period, excluding the week Mr. Skau did not work. Using this data
18 I totaled all of the time Mr. Skau spent working (195.53 hours) and divided it by the number of
19 weeks Mr. Skau worked (4 weeks). Based on the above calculations, I determined that Mr.
20 Skau spent an average of 49 hours per week working.

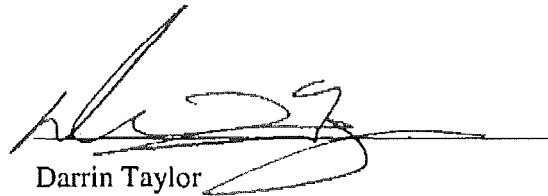
21 11. Based on Mr. Skau's available HOS Logs, I estimate that he drove 10,410 miles
22 during the five week period of March 26, 2017 to May 1, 2017. As noted above, Mr. Skau
23 worked approximately 195.53 hours during this period, which includes both on duty driving
24 and on duty, not driving time. Thus, I estimate that Mr. Skau traveled approximately 53 miles
25 per hour during the period in which his HOS Logs are available.
26

27 DECLARATION OF DARRIN TAYLOR IN SUPPORT
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1 I declare under penalty of perjury under the laws of the United States that the foregoing
2 is true and correct.

3 Executed at Greeley, Colorado, on
4 September 29, 2017.

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Darrin Taylor

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DECLARATION OF DARRIN TAYLOR IN SUPPORT
OF DEFENDANT JBS CARRIERS, INC.'S NOTICE OF
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Exhibit D

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

KURT SKAU, on behalf of himself and on
behalf of others similarly situated,

Plaintiff,

v.

JBS CARRIERS, INC., a Delaware corporation,

Defendant.

No.

DECLARATION OF MICHAEL
McQUADE IN SUPPORT OF
DEFENDANT JBS CARRIERS,
INC'S NOTICE OF REMOVAL

I, Michael McQuade, declare:

1. I am the Human Resources Director for Defendant, JBS Carriers, Inc. ("JBS Carriers"). In my role as Human Resources Director, I oversee all human resources operations for JBS Carriers. As Human Resources Director and in preparation for this declaration, I reviewed Mr. Skau's personnel file and other documents relating to Mr. Skau. As such, I have personal knowledge of the facts stated herein and if called to testify thereto could do so competently.

2. This declaration sets forth information I have compiled from other corporate departments located here in Greeley, Colorado. This information is maintained in the ordinary course of business, was prepared at or near the time of events or matters described therein, and records such data accurately. I have access, either directly or indirectly, to these business and corporate records in the ordinary course of business, and I periodically refer to them.

3. JBS Carriers is a subsidiary of Swift Brands Company, which falls under the JBS USA Food Company ("JBS") umbrella. JBS is a food processing company with plants around the country. JBS Carriers employs over the road truck drivers who, in large part,

DECLARATION OF MICHAEL MCQUADE IN SUPPORT
OF DEFENDANT JBS CARRIERS, INC.'S NOTICE OF
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1 transport JBS' animal protein and agricultural products from production facilities to customers
2 throughout the United States. JBS Carriers operates nationwide.

3 4. JBS and JBS Carriers are both headquartered in Greeley, Colorado. Almost all
4 of JBS Carriers' human resources, payroll, accounting, hiring, recruiting, and training
5 personnel are located and operated out of Greeley, Colorado. The only exception is that JBS
6 Carriers employs one recruiter in Green Bay, Wisconsin and Hyrum, Utah, and one billing
7 specialist in Texas. As JBS Carriers' HR Director, my office is located in Greeley, Colorado.
8 JBS Carriers' principal place of business is in Colorado.

9 5. Plaintiff Kurt Skau was a resident of Washington during his employment with
10 JBS Carriers, and I do not have any reason to believe plaintiff is no longer a resident of
11 Washington. Plaintiff was employed by JBS Carriers from November 9, 2015 until May 5,
12 2017.

13 6. Every new driver, including Mr. Skau attends an orientation program that occurs
14 in Greeley, Colorado. The orientation program offered to new drivers of JBS Carriers is
15 approximately four days long, with drivers arriving on Monday and being relieved of work at
16 varying times throughout the day on Thursday. The length of orientation is between 24-32
17 hours, depending on the driver.

18 7. In addition to the orientation program, some drivers also participate in a driving
19 training program, known as the "Trainee/Mentor Program." The Trainee/Mentor Program pairs
20 new drivers with a mentor for approximately 15,000 miles. The number of miles required
21 varies depending on the new driver's experience and development. Generally, it takes new
22 drivers 5 weeks to complete the training, but, again, it can take more or less time depending on
23 the experience and development of each individual. Once the new driver completes the
24 Trainee/Mentor Program, he is offered routes to drive on his own.
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27 DECLARATION OF MICHAEL MCQUADE IN SUPPORT
OF DEFENDANT JBS CARRIERS, INC.'S NOTICE OF
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1 I declare under penalty of perjury under the laws of the United States that the foregoing
2 is true and correct.

3 Executed at GRIFFIN, COLORADO, on
4 September 29, 2017.

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6 Michael McQuade
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